



June 29, 2026

VIA EFILING

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Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd 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 Petition for Protective Order

Dear Secretary Homsher:

On behalf of Veolia Water Pennsylvania, Inc. ("VWPA"), enclosed please find the **Petition for Protective Order** ("Petition"). The Petition does not contain an averment of fact not appearing of record, and therefore a verification has not been included consistent with 52 Pa. Code § 1.36(a). 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", followed by a long horizontal flourish.

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

v.

Veolia Water Pennsylvania, Inc.

:
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:
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:
:

Docket Nos.

C-2025-3058757

C-2025-3058865

CERTIFICATE OF SERVICE

I hereby certify that I have this 29th day of June, 2026 served a true copy of the foregoing **PETITION FOR PROTECTIVE ORDER 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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Counsel for *Office of Consumer Advocate*

Respectfully submitted,



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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Administrative Law Judge Chad Allensworth

Office of Small Business Advocate	:	
	:	
v.	:	Docket No. C-2025-3058757
	:	
Veolia Water Pennsylvania, Inc.	:	
and		
Office of Consumer Advocate	:	
	:	
v.	:	Docket No. C-2025-3058865
	:	
Veolia Water Pennsylvania, Inc.	:	

PETITION FOR PROTECTIVE ORDER

Veolia Water Pennsylvania, Inc. (“VWPA”) files this petition pursuant to 52 Pa. Code § 5.365 for the protection from public disclosure of certain confidential and proprietary information that VWPA anticipates filing and exchanging with the Pennsylvania Public Utility Commission (“Commission”) and the parties during the course of these proceedings. In support, VWPA states as follows:

I. Procedural History

1. On November 19, 2025, the Office of Small Business Advocate (“OSBA”) filed a formal complaint (the “OSBA Complaint”) against VWPA alleging that VWPA violated Section

1501 of the Pennsylvania Public Utility Code (“Code”), 66 Pa. C.S. § 1501, with regard to a series of incidents causing discolored water in VWPA’s Harrisburg system during the summer of 2025.

2. On November 25, 2025, the Office of Consumer Advocate (“OCA”) filed a Notice of Intervention.

3. On or about November 26, 2025, the OCA filed a Complaint (the “OCA Complaint”) against VWPA, alleging that VWPA had violated Section 1501 with regard to a series of incidents causing discolored water in VWPA’s Harrisburg system during the summer of 2025.

4. On December 10, 2025, a Notice of Appearance was filed for Christy M. Appleby, Esq., Janna E. Williams, Esq., and Olivia M. Spergel, Esq., who are representing the OCA with regard to the OCA Complaint.

5. On December 11, 2025, VWPA filed a Preliminary Objection to the OSBA’s Complaint. VWPA asked the Commission to dismiss or strike a request for relief (a request to direct VWPA to reimburse the damages of small business customers) and to dismiss or strike paragraphs in the OSBA Complaint alleging facts supporting that request for relief.

6. Also on December 11, 2025, VWPA filed its Answer and New Matter to the OSBA’s Complaint, denying that it violated Section 1501 of the Code.

7. On December 16, 2025, the OSBA filed its Answer to VWPA’s Preliminary Objection. The OSBA agreed that the Commission should strike the request for an order directing VWPA to reimburse the damages of small business customers, but asked the Commission to overrule the remainder of VWPA’s Preliminary Objection.

8. On December 16, 2025, VWPA filed an Answer and New Matter to the OCA Complaint.

9. Also on December 16, 2025, VWPA filed a Motion for Consolidation of the OSBA Complaint with the OCA Complaint.

10. On December 23, 2025, VWPA filed correspondence indicating that it had agreed with OSBA to extend the deadline for OSBA to file Replies to VWPA's New Matter until January 21, 2026. The ALJ issued an Order Granting Extension to Reply to New Matter on December 29, 2025.

11. Similarly, on December 23, 2025, VWPA filed correspondence indicating that it had agreed with OCA to extend the deadline for OCA to file Replies to VWPA's New Matter until January 21, 2026. The ALJ issued an Order Granting Extension to Reply to New Matter on January 7, 2026.

12. On January 12, 2026, Steven C. Gray, Esq., entered his appearance as additional counsel on behalf of the OSBA.

13. On January 13, 2026, the ALJ issued his Interim Order Granting Motion to Consolidate and Granting Preliminary Objection in Part. In that order, the ALJ consolidated the OSBA Complaint with the OCA Complaint, struck the OSBA's request for an order directing VWPA to reimburse the damages of small business customers, but otherwise denied VWPA's Preliminary Objections.

14. On January 21, 2026, the OSBA filed its Reply to New Matter.

15. Also on January 21, 2026, the OCA filed its Reply to New Matter.

16. On January 26, 2026, the Commission issued an Initial Telephonic Prehearing Conference Notice, advising the parties of an initial telephonic prehearing conference to be held on April 14, 2026.

17. Also on January 26, 2026, the Commission issued the ALJ's Prehearing Conference Order.

18. On April 14, 2026, the Prehearing Conference was convened as scheduled.

19. On June 25, 2026, the ALJ issued a prehearing order to memorialize the matters decided and agreed upon by the parties attending the Prehearing Conference.

II. Background

20. VWPA anticipates exchanging documents and information in this proceeding pursuant to Commission rules and regulations, formal and informal discovery procedures, testimony or oral examination, or as a courtesy to parties, containing information that VWPA considers confidential and proprietary.

III. Legal Standards

21. Section 5.365(a) of the Commission's regulations provides that a petition for protective order will be granted "when a party demonstrates that the potential harm to the party of providing the [confidential or proprietary] information would be substantial and that the harm to the party if the information is disclosed without restriction outweighs the public's interest in free and open access to the administrative hearing process." The factors that the Commission evaluates include: "(1) The extent to which the disclosure would cause unfair economic or competitive damage. (2) The extent to which the information is known by others and used in similar activities. (3) The worth or value of the information to the party and to the party's competitors. (4) The degree of difficulty and cost of developing the information. (5) Other statutes or regulations dealing specifically with disclosure of the information." *See* 52 Pa. C.S. § 5.365(a)(1)-(5).

IV. The ALJ Should Issue the Requested Protective Order

22. Disclosure of confidential and proprietary information contained in materials that VWPA anticipates will be exchanged during these proceedings would cause VWPA unfair economic or competitive disadvantage because the information that VWPA would seek to protect is not generally known, is valuable to VWPA, derives value in part due to VWPA's efforts to maintain the confidentiality of the information, and could be valuable to competitors (and, in turn, harmful to VWPA) if disclosed publicly.

23. The issuance of a protective order adequate to cover all parties and establish procedures in accordance with 52 Pa. Code § 5.365 for the provision of information believed to be confidential or proprietary would serve administrative economy and efficiency by obviating the need for parties to address confidential/proprietary concerns on a piecemeal basis every time confidential/proprietary information is requested.

24. The proposed protective order included with this Petition is in the usual accepted form, consistent with due process rights and evidentiary burdens. It allows parties to retain the right to question or challenge the confidential or proprietary nature of information; to challenge the admissibility of confidential or proprietary information; to refuse or object to the production of confidential or proprietary information on any proper ground; to seek disclosure of confidential or proprietary information beyond that allowed in the Protective Order; and to seek additional measures of protection beyond those provided in the Protective Order. The Protective Order also provides that the party claiming that the information is confidential or proprietary retains the burden of demonstrating that such designation is necessary and appropriate.

25. Counsel for VWPA has contacted Counsel for the OCA and the OSBA, and no party has advised Counsel for VWPA that they object to the entry of the proposed protective order.

WHEREFORE Veolia Water Pennsylvania, Inc. requests that Administrative Law Judge Chad Allensworth enter the Protective Order included with this Petition.

Respectfully submitted,



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Attorneys for *Veolia Pennsylvania Water, Inc.*

Date: June 29, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Office of Small Business Advocate	:	
	:	
v.	:	Docket No. C-2025-3058757
	:	
Veolia Water Pennsylvania, Inc.	:	
and		
Office of Consumer Advocate	:	
	:	
v.	:	Docket No. C-2025-3058865
	:	
Veolia Water Pennsylvania, Inc.	:	

PROTECTIVE ORDER

THEREFORE, upon consideration of the petition for protective order filed by Veolia Water Pennsylvania, Inc. (“VWPA”), in the above matters and any response thereto,

IT IS ORDERED:

1. That the Petition for a Protective Order is granted with respect to all materials and information identified in Paragraphs 2 and 3 below, which are filed with the Pennsylvania Public Utility Commission (“Commission”), produced in discovery, or otherwise presented during these proceedings. All persons now and hereafter granted access to the materials and information identified in Paragraphs 2 and 3 of this Protective Order shall use and disclose such information only in accordance with this Protective Order.

2. That materials subject to this Protective Order are all correspondence, documents, data, information, excerpts, summaries, studies, methodologies and other materials (including

materials derived therefrom) whether produced or reproduced or stored on paper, cards, tape, disk, film, electronic facsimile, magnetic or optical memory, computer storage devices or any other devices or media, including, but not limited to, electronic mail (e-mail), which a party or an affiliate of a party furnishes in this proceeding pursuant to Commission rules and regulations, formal and informal discovery procedures, testimony or oral examination, or provided as a courtesy to a party to this proceeding, which are claimed to be of a proprietary or confidential nature and which are designated “PROPRIETARY INFORMATION” or “CONFIDENTIAL AND PROPRIETARY” or “PRIVILEGED AND CONFIDENTIAL” (hereinafter collectively referred to as “Proprietary Information”).

3. That, in addition, the parties may designate extremely sensitive Proprietary Information as “HIGHLY CONFIDENTIAL INFORMATION” or “HIGHLY CONFIDENTIAL MATTER” or “HIGHLY CONFIDENTIAL – CSI – CONTAINS CONFIDENTIAL SECURITY INFORMATION – DO NOT RELEASE,” or “HIGHLY CONFIDENTIAL – CEII – CONTAINS CRITICAL ENERGY INFRASTRUCTURE INFORMATION – DO NOT RELEASE” (hereinafter referred to as “Highly Confidential Information”) and thus secure the additional protections set forth in this Protective Order pertaining to such material.

a. For example, but without limitation, “Highly Confidential Information” may include Proprietary Information that constitutes or describes: (a) customer names or customer prospects’ names, addresses, annual volumes of water and/or wastewater usage, or other customer-identifying information; (b) marketing plans; (c) competitive strategies or service alternatives; (d) market share projections; (e) competitive pricing or discounting information; and (f) marketing materials that have not yet been used.

b. The parties may designate as “CONFIDENTIAL SECURITY INFORMATION” or “CSI” those information and materials, as defined in the Public Utility Confidential Security Information Disclosure Protection Act at Section 2 of Act 156 of 2006, P.L. 1435, No. 156, 35 P.S. § 2141.2 *et seq.*¹ If the material contains “CONFIDENTIAL SECURITY INFORMATION” or “CSI” the parties producing such information shall mark on each page containing information the words “HIGHLY CONFIDENTIAL – CSI – CONTAINS CONFIDENTIAL SECURITY INFORMATION – DO NOT RELEASE.” The parties may designate materials containing critical energy infrastructure information (“CEII”), as defined in 18 C.F.R. § 388.113(c)(1),² as “CRITICAL ENERGY INFRASTRUCTURE INFORMATION.” If the material contains “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” or “CEII”, the parties producing such information shall mark on each page containing information the words “HIGHLY CONFIDENTIAL – CEII – CONTAINS CRITICAL ENERGY INFRASTRUCTURE INFORMATION – DO NOT RELEASE.”

4. That Proprietary Information and Highly Confidential Information produced in this proceeding shall be made available, solely for use in this proceeding, to VWPA; the Office of Consumer Advocate (“OCA”); the Office of Small Business Advocate (“OSBA”); and additional parties, if any. To the extent that Proprietary Information or Highly Confidential Information is

¹ The Public Utility Confidential Security Information Disclosure Protection Act governs the disclosure of material which creates a reasonable likelihood of endangering the physical security of public utility resources, infrastructure, facility or information storage system; and information regarding computer hardware, software and networks, including administrative and technical records, which, if disclosed, would be reasonably likely to jeopardize computer security.

² 18 C.F.R. § 388.113(c)(2) defines “Critical Energy Infrastructure Information” as “specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (i) Relates details about the production, generation, transportation, transmission, or distribution of energy; (ii) Could be useful to a person in planning an attack on critical infrastructure; (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. § 552; and (iv) Does not simply give the general location of the critical infrastructure.” Moreover, 18 C.F.R. § 388.113(c)(4) defines “Critical Infrastructure” as “existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of those matters.”

placed in the Commission's report folders, such information shall be handled in accordance with routine Commission procedures inasmuch as the report folders are not subject to public disclosure. To the extent that Proprietary Information or Highly Confidential Information is placed in the Commission's testimony or document folders, such information shall be separately bound, conspicuously marked, and accompanied by a copy of this Protective Order. Public inspection of Proprietary Information and Highly Confidential Information shall be permitted only in accordance with this Protective Order.

5. That Proprietary Information and Highly Confidential Information shall be made available to counsel of record in this proceeding pursuant to the following procedures:

a. Information designated "Proprietary Information" shall be provided to a "Reviewing Representative." For purposes of "Proprietary Information," a "Reviewing Representative" is a person who has signed a Non-Disclosure Certificate (except that the Consumer Advocate, the Deputy Consumer Advocate, the Small Business Advocate, and support staff in the OCA and the OSBA do not need to execute a Non-Disclosure Certificate, provided that the OCA's, and the OSBA's counsel execute a Non-Disclosure Certificate) and is:

- i. An attorney who has formally entered an appearance in this proceeding on behalf of a party;
- ii. An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph 5(a)(i) above;
- iii. An expert or an employee of an expert retained by a party for the purpose of advising that party or testifying in this proceeding on behalf of that party;

- iv. Employees or other representatives of a party to this proceeding who have significant responsibility for developing or presenting the party's positions in this docket; or
- v. A person mutually agreed to by the party producing the Proprietary Information and the party requesting to designate a Reviewing Representative pursuant to this subparagraph.

b. Information designated "HIGHLY CONFIDENTIAL" shall be provided to a Reviewing Representative, provided, however that a Reviewing Representative, for purposes of "HIGHLY CONFIDENTIAL" protected material, is limited to a person who has signed a Non-Disclosure Certificate (except that the Consumer Advocate, the Deputy Consumer Advocate, the Small Business Advocate, and support staff in the OCA, and the OSBA do not need to execute a Non-Disclosure Certificate, provided that the OCA's, and the OSBA's counsel execute a Non-Disclosure Certificate) and is:

- i. An attorney who has formally entered an appearance in this proceeding on behalf of a party;
- ii. An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph 5(b)(i);
- iii. An outside expert or an employee of an outside expert retained by a party for the purposes of advising that party or testifying in this proceeding on behalf of that party;

iv. A person designated as a Reviewing Representative for purposes of Highly Confidential protected material pursuant to Paragraph 5(e), below; or

v. A person mutually agreed to by the party producing the Highly Confidential Information and the party requesting to designate a Reviewing Representative pursuant to this subparagraph.

c. Provided, further, that in accordance with the provisions of Sections 5.362 and 5.431(e) of the Commission's Rules of Practice and Procedure, 52 Pa. Code §§ 5.362 and 5.431(e), any party may, by objection or motion, seek further protection with respect to HIGHLY CONFIDENTIAL protected material, including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

d. No other persons may have access to the Proprietary or Highly Confidential Information except as authorized by order of the Commission or of the presiding Administrative Law Judge(s). No person who may be entitled to receive, or who is afforded access to any Proprietary or Highly Confidential Information, shall use or disclose such information for the purposes of business or competition, or any purpose other than the preparation for and conduct of this proceeding or any administrative or judicial review thereof.

e. In the event that a receiving party wishes to designate as a Reviewing Representative for "HIGHLY CONFIDENTIAL" material a person not described in paragraph 5(b)(i) through (iv) above, the receiving party must first seek agreement to do so from the disclosing party. If an agreement is reached, the designated individual shall be a Reviewing Representative pursuant to Paragraph 5(b)(v) above with respect to those materials. If no agreement is reached, the OCA or the OSBA may submit the disputed designation to the presiding

Administrative Law Judge(s) for resolution.

6. That “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” shall be made available to counsel of record in this proceeding pursuant to the following procedures:

a. Information designated as “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” may be made available for inspection and review by a “Reviewing Representative” who has signed a Non-Disclosure Certificate attached as Appendix A and who is:

- i. An attorney who has entered an appearance in this proceeding for a party;
- ii. An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph 6(a)(i) above; or
- iii. An outside expert or an employee of an outside expert retained by a party for the purposes of advising, preparing for or testifying in this proceeding.

b. “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” will only be provided for inspection via in-person review at the offices of Cozen O’Connor or upon request of a statutory advocate or an attorney for a statutory advocate, at another location in the Harrisburg-metro area of the Commonwealth between the hours of 9 A.M. to 5 P.M., Monday through Friday, or through a secure remote viewing process (if reasonably feasible in the sole discretion of VWPA).. Such a review may be proctored, and the Reviewing Representatives are prohibited from reproducing

such information in any form without the prior authorization of VWPA's counsel (including taking detailed notes, making photocopies, or taking pictures).

c. With regard to OCA and OSBA, information and materials designated as "CONFIDENTIAL SECURITY INFORMATION" or "CRITICAL ENERGY INFRASTRUCTURE INFORMATION" shall be made available to the OCA Attorneys, and OSBA Attorneys subject to the terms of this Protective Order. The OCA Attorneys, and OSBA Attorneys shall use or disclose the "CONFIDENTIAL SECURITY INFORMATION" or "CRITICAL ENERGY INFRASTRUCTURE INFORMATION" only for purposes of preparing or presenting evidence, cross examination, argument, case preparation, or settlement in this proceeding. To the extent required for participation in this proceeding, the OSBA Attorneys and OCA Attorneys may afford access to "CONFIDENTIAL SECURITY INFORMATION" or "CRITICAL ENERGY INFRASTRUCTURE INFORMATION" only to the Small Business Advocate and Deputy Small Business Advocate, Consumer Advocate and Deputy Consumer Advocate, respectively, as well as their experts, supervisors of experts, and administrative support staff without the need for the execution of a Non-Disclosure Certificate, who are full-time employees of the OSBA or OCA and bound by all the provisions of this Protective Order by virtue of the OSBA Attorneys' and OCA Attorneys' execution of a Non-Disclosure Certificate.

d. Reviewing Representatives who gain access to "CONFIDENTIAL SECURITY INFORMATION" or "CRITICAL ENERGY INFRASTRUCTURE INFORMATION" undertake the obligation to protect the confidentiality of CSI and CEII and undertake all other obligations resulting from having access to this confidential information, in accordance with 35 P.S. § 2141.3(d) and (e), 18 C.F.R. 388.113(h), as well as all other applicable federal and state laws and other legal rules, which are incorporated by reference herein. Any

copies of CSI shall also be deemed to be “CRITICAL SECURITY INFORMATION” and any copies of CEII shall also be deemed to be “CRITICAL ENERGY INFRASTRUCTURE INFORMATION.”

e. Provided, further, that in accordance with the provisions of Sections 5.362 and 5.365(e) of the Commission’s Rules of Practice and Procedure, 52 Pa. Code §§ 5.362, 5.365(e), any party may, by subsequent objection or motion, seek further protection with respect to “CONFIDENTIAL SECURITY INFORMATION or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION,” including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

7. For purposes of this Protective Order, a Reviewing Representative may not be a “Restricted Person” absent agreement of the party producing the Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION.” A “Restricted Person” shall mean: (a) an officer, director, stockholder, partner, or owner of any competitor of the parties or an employee of such an entity if the employee’s duties involve marketing or pricing of the competitor’s products or services or advising another person who has such duties; (b) an officer, director, stockholder, partner, or owner of any affiliate of a competitor of the parties (including any association of competitors of the parties) or an employee of such an entity if the employee’s duties involve marketing or pricing of the competitor’s products or services or advising another person who has such duties; (c) an officer, director, stockholder, owner, agent or employee of a competitor of a customer of the parties or of a competitor of a vendor of the parties if the Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” concerns a specific, identifiable

customer or vendor of the parties; and (d) an officer, director, stockholder, owner or employee of an affiliate of a competitor of a customer of the parties if the Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” concerns a specific, identifiable customer of the parties; provided, however, that no expert shall be disqualified on account of being a stockholder, partner, or owner unless that expert’s interest in the business would provide a significant motive for violating the limitations of permissible use of the Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION.” For purposes of this Protective Order, stocks, partnership or other ownership interests valued at more than \$10,000 or constituting more than 1% interest in a business (excluding ownership interests where the expert has no direct knowledge of such interest, or control over investment or business decisions, such as a mutual fund) establishes a significant motive for violation.

8. If an expert for a party, another member of the expert’s firm or the expert’s firm generally also serves as an expert for, or as a consultant or advisor to, a Restricted Person, that expert must: (1) identify for the parties each Restricted Person and all personnel in or associated with the expert’s firm that work on behalf of the Restricted Person; (2) take all reasonable steps to segregate those personnel assisting in the expert’s participation in this proceeding from those personnel working on behalf of a Restricted Person; and (3) if segregation of such personnel is impractical, the expert shall give to the producing party written assurances that the lack of segregation will in no way adversely affect the interests of the parties or their customers. The parties retain the right to challenge the adequacy of the written assurances that the parties’ or their customers’ interests will not be adversely affected. No other persons may have access to the

Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” except as authorized by order of the Commission.

9. Prior to making Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” available to any independent consultant or non-lawyer representatives, counsel shall deliver a copy of this Protective Order to such person and shall receive a written acknowledgment from that person in the form attached to this Protective Order and designated as Appendix A. Counsel shall promptly deliver to the producing party a copy of the executed Appendix A.

10. A producing party shall designate data or documents as constituting or containing Proprietary Information, Highly Confidential Information, or “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” by affixing an appropriate proprietary or confidential stamp or type-written designation on such data or documents. Where only part of data compilations or multi-page documents constitutes or contains Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION,” the producing party shall designate only the specific data or pages of documents which constitute or contain Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION.”

11. Any public reference to Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY

INFRASTRUCTURE INFORMATION” by counsel or persons afforded access thereto shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” to fully understand the reference and not more. The Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

12. Part of any record of this proceeding containing Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION,” including but not limited to all exhibits, writings, testimony, cross examination, argument and responses to discovery, and including reference thereto as mentioned in Paragraph 10 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” is released from the restrictions of this Protective Order, either through the agreement of the parties or pursuant to Order of the Administrative Law Judge(s), the Commission or appellate court. Unresolved challenges arising under Paragraph 12 shall be decided on petition by the presiding officer(s) or the Commission as provided by 52 Pa. Code § 5.365(a). All such challenges will be resolved in conformity with existing rules, regulations, orders, statutes, precedent, etc., to the extent that such guidance is available.

13. The parties affected by the terms of this Protective Order shall retain the right to question or challenge the confidential or proprietary nature of Proprietary Information, Highly

Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION”; to question or challenge the admissibility of Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION”; to seek an order permitting disclosure of Proprietary Information, Highly Confidential Information “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” beyond that allowed in this Protective Order; and to seek additional measures of protection of Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” beyond those provided in this Protective Order. If a challenge is made to the designation of a document or information as Proprietary Information, Highly Confidential, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” the party claiming that the information is Proprietary Information, Highly Confidential, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” retains the burden of demonstrating that the designation is necessary and appropriate.

14. The parties shall retain the right to object to the production of Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” on any proper ground, including but not limited to irrelevance, immateriality or undue burden, and to refuse to produce Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” pending the adjudication of the objection.

15. That the Commission and all parties, including the statutory advocates and any other agency or department of state government, will consider and treat the Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” as within the exemptions from disclosure in Section 335(d) of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 335(d), and the Pennsylvania Right-to-Know Act, 65 P.S. §§ 67.101 *et seq.* (the “RTKL”), until such information is found by a tribunal with jurisdiction to be not confidential or subject to one or more exemptions. In the event that any person or entity seeks to compel the disclosure of Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” under Section 335(d) and/or the RTKL, the Commission and/or the party receiving such request shall promptly notify the producing party in order to provide the producing party an opportunity to oppose or limit such disclosure. None of the parties waive their right to pursue any available remedies that may be available in the event of actual or anticipated disclosure of Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION”. Any public reference to Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” by a party or its Reviewing Representatives shall be to the title or exhibit reference in sufficient detail to permit persons with access to the information to understand fully the reference and not more. The Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY

INFRASTRUCTURE INFORMATION” shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

16. This Protective Order shall continue to be binding throughout and after the conclusion of this proceeding.

17. Within 30 days after a Commission final order is entered in the above-captioned proceeding, or in the event of appeals, within thirty days after appeals are finally decided, the receiving party, upon request, shall either destroy or return to the parties all copies of all documents and other materials not entered into the record, including notes, which contain any Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION”. In the event that the party elects to destroy all copies of documents and other materials containing Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” instead of returning the copies of documents and other materials to the parties, upon request, the party shall certify in writing to the producing party that the Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” has been destroyed.

Dated: _____

Administrative Law Judge

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Office of Small Business Advocate	:	
	:	
v.	:	Docket No. C-2025-3058757
	:	
Veolia Water Pennsylvania, Inc.	:	
and		

Office of Consumer Advocate	:	
	:	
v.	:	Docket No. C-2025-3058865
	:	
Veolia Water Pennsylvania, Inc.	:	

ACKNOWLEDGMENT

TO WHOM IT MAY CONCERN:

The undersigned is the _____ of _____ (the receiving party).

The undersigned has read the Protective Order dated _____, 2026, and understands that it deals with the treatment of Proprietary Information, Highly Confidential Information, “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION.” The undersigned agrees to be bound by, and to comply with, the terms and conditions of said Protective Order. In the case of an independent expert, the undersigned represents that he/she has complied with the provisions of paragraph 5 of the Protective Order prior to submitting this Acknowledgement.

SIGNATURE

PRINT NAME

ADDRESS

EMPLOYER

DATE