

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of American Water	:	
Works Company, Inc., Essential Utilities,	:	
Inc., Aqua Pennsylvania, Inc., Aqua	:	
Pennsylvania Wastewater, Inc., Peoples	:	Docket Nos. A-2025-3058927
Natural Gas Company LLC and Alpha	:	A-2025-3058928
Merger Sub, Inc. for a Certificate of	:	A-2025-3058929
Public Convenience under Sections	:	
1102(a)(3) and 2210(c) of the Public	:	
Utility Code and All Other Necessary	:	
Approvals to Effect a Change of Control	:	
Of Aqua Pennsylvania, Inc., Aqua	:	
Pennsylvania Wastewater, Inc., and	:	
Peoples Natural Gas Company LLC	:	

**INTERIM ORDER
SETTING UPDATED REQUIREMENTS FOR BRIEFS,
NON-UNANIMOUS SETTLEMENT, AND STATEMENTS IN SUPPORT**

Note: Please refer to the Commission’s docket for a complete list of all filings, parties, and events.

An evidentiary hearing was held in the above-captioned matter on August 4, 2026. The following parties were present and represented by counsel: American Water Works Company, Inc., Alpha Merger Sub, Inc., Essential Utilities, Inc., Aqua Pennsylvania, Inc., Aqua Pennsylvania Wastewater, Inc., Peoples Natural Gas, LLC. (collectively, Joint Applicants); the Bureau of Investigation and Enforcement; the Office of Consumer Advocate; the Office of Small Business Advocate; the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania; and the City of Butler, City of Delaware, Whiteland Township, Manchester Township, Spring Garden Township, West Manchester Township, and York Township (collectively, the Municipalities). The following parties were not present: East Norriton Township, the Chester Water Authority, Upland Borough, Township of Lower Makefield, and the International Union of Operating Engineers, Local 542.

At the end of the hearing, we gave instructions regarding briefs and directed the parties to prepare a common brief outline and common abbreviations and provide them to us by August 7, 2026.

On August 7, 2026, counsel for the Joint Applicants provided a Common Brief Outline and Common Abbreviations List to us by email, with counsel for all parties copied.

In response to the August 7, 2026, email, we provided additional instructions regarding briefs.

An Interim Order was issued the morning of August 25, 2026, memorializing instructions and requirements for briefs given at the hearing and by email.

In the afternoon of August 25, 2026, counsel for the Joint Applicants contacted the undersigned Administrative Law Judges (ALJs) via email and indicated the Joint Applicants reached a Non-Unanimous Settlement with the Office of Consumer Advocate (OCA) and the Bureau of Investigation and Enforcement (BIE). Counsel further indicated the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), East Norriton Township, and Local 612 did not oppose the settlement and other parties were in the process of confirming their position regarding the settlement. Counsel noted Chester Water Authority was the only party that had confirmed it would oppose the settlement.

On August 27, 2026, counsel for the Joint Applicants provided additional information via email, and indicated that Manchester Township, North York Borough, Spring Garden Township, West Manchester Township, and York Township would be joining the settlement. Counsel further conveyed requests for modifications to deadlines and indicated no parties expressed opposition to the proposed modifications. Counsel further provided an updated common briefing outline and a proposed common outline for statements in support, and indicated no parties expressed opposition to use of the outlines.

This Interim Order provides **updated** instructions and requirements in light of the non-unanimous settlement and information provided by counsel via email.

The Joint Petition for Non-Unanimous Settlement and Statements in Support are due **September 15, 2026**. The Non-Unanimous Settlement must include proposed findings of fact (to which the settling parties stipulate), proposed conclusions of law, and proposed ordering paragraphs, either as part of the Non-Unanimous Settlement or as attachments thereto.

Main Briefs and proposed findings of fact, conclusions of law, and ordering paragraphs are due **September 22, 2026**. Each party filing a Main Brief must include in the Main Brief its proposed findings of fact, conclusions of law, and ordering paragraphs either as part of the Main Brief or as attachments thereto.

Reply Briefs are due **September 29, 2026**.

The requirements set forth in the Interim Order issued on Tuesday, August 25, 2026 regarding page limits remain the same (100 pages for Main Briefs and 50 pages for Reply Briefs), and the page limit for statements in support will be 100 pages. The other requirements regarding use of abbreviations, use of headings and subheadings, font type, font size, citations to the record, and citations in footnotes set out in the Interim Order issued on Tuesday, August 25, 2026 continue to apply to Main Briefs and Reply Briefs, and will also apply to the Non-Unanimous Settlement and Statements in Support.

All settlement documents and briefs must be sent to the ALJs in Microsoft Word format at the time they are filed with the Commission.

Main and Reply Briefs must conform to the Updated Common Brief Outline attached to the instant Interim Order. Statements in Support must conform to the Common Outline for Statements in Support attached to the instant Interim Order.

THEREFORE,

IT IS ORDERED:

1. Any briefs filed in this matter must conform to the Updated Common Brief Outline attached to the Instant Interim Order and the Common Abbreviations List attached to the August 25, 2026 Interim Order.
2. The Joint Petition for Non-Unanimous Settlement and Statements in Support must conform to the Common Abbreviations List attached to the August 25, 2026 Interim Order. Statements in Support must conform to the Common Outline for Statements in Support attached to the instant Interim Order.
3. Briefs that fail to conform to the Updated Common Brief Outline or the Common Abbreviations List, and Statements in Support that fail to conform to the Common Outline for Statements in Support or the Common Abbreviations list will not be considered in the preparation of the Recommended Decision.
4. Additional subheadings are permitted, as deemed necessary by the parties.
5. Parties do not need to discuss all headings or subheadings in the Updated Common Brief Outline.
6. The Non-Unanimous Settlement, Statements in Support and briefs must be written in Times New Roman, size 13-point font, in both the body and in footnotes.
7. The Non-Unanimous Settlement, Statements in Support and briefs must contain citations to the record, and citations must be in footnotes and not embedded in the body of the brief.
8. Main Briefs must be no longer than 100 pages in length.

9. Reply Briefs must be no longer than 50 pages in length.

10. Statements in Support must be no longer than 100 pages in length.

11. The Non-Unanimous Settlement and Main Briefs must contain proposed findings of fact and proposed conclusions of law, either as part of the brief or as attachments. Attachments do not count towards the page limit.

Date: August 28, 2026

_____/s/
Emily I. DeVoe
Administrative Law Judge

Date: August 28, 2026

_____/s/
Ann Quimby
Administrative Law Judge

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Revised May 6, 2026

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