



DIRECT DIAL NUMBER:  
(215) 575-7286

Thomas S. Wyatt  
twyatt@dilworthlaw.com

June 21, 2017

**VIA E-FILING AND FIRST CLASS U.S. MAIL**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
PO Box 3265  
Suite 3130  
Harrisburg, PA 17105

**RE: APPLICATION OF AQUA PENNSYLVANIA WASTEWATER, INC.  
PURSUANT TO SECTIONS 1102 AND 1329 OF THE PUBLIC UTILITY CODE  
FOR APPROVAL OF ITS ACQUISITION OF THE WASTEWATER SYSTEM  
ASSETS OF LIMERICK TOWNSHIP,  
DOCKET NO. A-2017-2605434**

Dear Secretary Chiavetta:

Enclosed herewith for filing today in the above-captioned proceeding are (1) a Petition for Intervention by the Township of Limerick and (2) a notice of appearance.

Copies will be served on all known parties, as evidenced by the attached Certificates of Service.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'T. S. Wyatt', written over a large, faint, stylized 'DP' monogram.

Thomas S. Wyatt

cc: All Parties of Record

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Aqua Pennsylvania :  
Wastewater, Inc. (hereinafter referred to :  
as "Aqua" or "Applicant") pursuant to : Application Docket No.  
Sections 1102 and 1329 of the Public : A-2017-2605434  
Utility Code for: :

(1) approval of the acquisition by Aqua :  
of the wastewater system assets of :  
Limerick Township ("Township") :  
situated within a portion of Limerick and :  
within a portion of the Borough of Royersford, :  
Montgomery County, Pennsylvania; :

(2) approval of the right of Aqua to begin to offer, :  
render, furnish and supply wastewater service to the :  
public within a portion of Limerick, :  
Montgomery County, Pennsylvania; and :

(3) for an order approving the acquisition that :  
includes the ratemaking rate base of the Limerick :  
wastewater system assets pursuant to Section 1329(c)(2) :  
of the Public Utility Code. :


---

**NOTICE TO PLEAD**

---

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.66, YOU MAY ANSWER THE ENCLOSED PETITION TO INTERVENE WITHIN TWENTY (20) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PETITION TO INTERVENE MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL FOR LIMERICK TOWNSHIP.

Dated: June 21, 2017

  
Thomas Wyatt, Esquire  
PA I.D. # 89342  
Dilworth Paxson LLP  
1500 Market Street, Suite 3500E  
Philadelphia, PA 19102  
(215) 575-7286  
twyatt@dilworthlaw.com

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Aqua Pennsylvania :  
Wastewater, Inc. (hereinafter referred to :  
as "Aqua" or "Applicant") pursuant to : Application Docket No.  
Sections 1102 and 1329 of the Public : A-2017-2605434  
Utility Code for:

(1) approval of the acquisition by Aqua :  
of the wastewater system assets of :  
Limerick Township ("Limerick") :  
situated within a portion of Limerick and :  
within a portion of the Borough of Royersford, :  
Montgomery County, Pennsylvania; :

(2) approval of the right of Aqua to begin to offer, :  
render, furnish and supply wastewater service to the :  
public within a portion of Limerick, :  
Montgomery County, Pennsylvania :

(3) for an order approving the acquisition that :  
includes the ratemaking rate base of the Limerick :  
wastewater system assets pursuant to Section 1329(c)(2) :  
of the Public Utility Code. :

**PETITION TO INTERVENE**

Pursuant to 52 Pa. Code §§ 5.71, 5.72 and 5.74, Limerick Township ("Limerick") by and through its attorneys, Dilworth Paxson LLP, hereby files with the Pennsylvania Public Utility Commission ("Commission") this Petition to Intervene in the Application captioned above of Aqua Pennsylvania Wastewater, Inc. ("Aqua" or "Applicant") by which Aqua seeks approval to acquire the wastewater system and assets of Limerick; approval of the right to begin to offer, render and supply wastewater service within portions of Limerick Township, Montgomery

County, Pennsylvania, and; for an order approving the acquisition that includes the ratemaking rate base of the Limerick wastewater system. The Application directly affects the interests of Limerick, which are not adequately represented by any existing party. For the reasons that follow, Limerick respectfully requests that the Commission grant its Petition to Intervene, and in support thereof, avers as follows:

1. Petitioner Limerick Township, Montgomery County, Pennsylvania, is a duly organized and validly existing Pennsylvania Township of the Second Class under the laws of the Commonwealth of Pennsylvania, 53 P.S. §§ 65101, et seq., with a business address of 646 W. Ridge Pike, PA 19468.

2. Limerick is a party interested in the above-captioned docket, as it is a party to the agreement under which Aqua seeks approval to acquire the Limerick wastewater system assets; and itself owns the community wastewater system subject to the instant sale to Aqua.

3. Limerick supports the Application filed by Aqua at this docket.

4. 52 Pa. Code § 5.72 sets forth the eligibility requirements for a party to intervene and provides in part as follows:

(a) Persons. A Petition to Intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

- (1) A right conferred by statute of the United States or Commonwealth;
- (2) An interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding;

- (3) Another interest of such nature that participation of the petitioner may be in the public interest.

5. Limerick seeks intervention in the proceeding for due cause shown for the following reasons:

- (a) Limerick is the owner of the wastewater system proposed for sale to Aqua which provides wastewater service to approximately 5,434 residential and commercial customers within portions of the Township, and

- (b) The Application of Aqua relies on Limerick's offer for sale of the portions of the wastewater system Limerick owns.

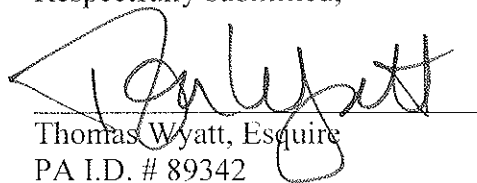
6. Limerick has a substantial and bona fide interest in the subject matter of this docket and its interests cannot be represented or protected adequately by other existing parties to this docket.

7. As the potential seller of the wastewater system, Limerick submits that its intervention is in the public interest.

8. Limerick intends to play an active role in the PUC's decision-making process and its participation herein will not unduly prejudice any party.

WHEREFORE, Limerick Township respectfully requests that the Commission grant the instant Petition for Intervention in the above-captioned proceeding.

Respectfully submitted,



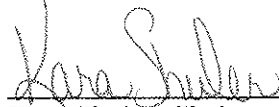
Thomas Wyatt, Esquire  
PA I.D. # 89342  
Dilworth Paxson LLP  
1500 Market Street, Suite 3500E  
Philadelphia, PA 19102  
(215) 575-7286  
twyatt@dilworthlaw.com

**VERIFICATION**

I, Kara Shuler, Chairman of the Board of Supervisors of Limerick Township, hereby verify that the statements made in the foregoing petition are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Limerick Township,

Dated: 6/20/17

  
\_\_\_\_\_  
Kara Shuler, Chairman

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Aqua Pennsylvania :  
Wastewater, Inc. (hereinafter referred to :  
as "Aqua" or "Applicant") pursuant to : Application Docket No.  
Sections 1102 and 1329 of the Public : A-2017-2605434  
Utility Code for:

(1) approval of the acquisition by Aqua :  
of the wastewater system assets of :  
Limerick Township ("Limerick") :  
situated within a portion of Limerick and :  
within a portion of the Borough of Royersford, :  
Montgomery County, Pennsylvania; :

(2) approval of the right of Aqua to begin to offer, :  
render, furnish and supply wastewater service to the :  
public within a portion of Limerick, :  
Montgomery County, Pennsylvania; and :

(3) for an order approving the acquisition that :  
includes the ratemaking rate base of the Limerick :  
wastewater system assets pursuant to Section 1329(c)(2) :  
of the Public Utility Code. :

**ORDER OF COURT**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2017, upon consideration of the  
foregoing Petition to Intervene of Limerick Township in the above-captioned matter it is hereby  
**ORDERED, ADJUDGED and DECREED**, that said Petition is **GRANTED**.

**BY THE COURT:**

\_\_\_\_\_, J.

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a true and correct copy of the foregoing Petition to Intervene upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

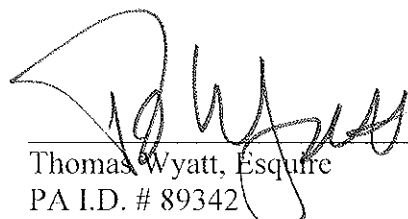
Thomas T. Niesen, Esquire  
Thomas, Niesen & Thomas, LLC  
212 Locust Street, Suite 600  
Harrisburg, Pa 17101  
*Counsel for Aqua Pennsylvania Wastewater, Inc.*  
*(Via United States Mail and email)*

Carrie B. Wright, Esquire  
Phillip C. Kirchner, Esquire  
Bureau of Investigation and Enforcement  
PA Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
*(Via United States Mail and email)*

Administrative Law Judge Steven Haas  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
*(Via United States Mail Priority Mail Express and email)*

Christine M. Hoover, Esquire  
Erin L. Gannon, Esquire  
Office of Consumer Advocate  
555 Walnut Street  
Fifth Floor, Forum Place  
Harrisburg, PA 17101-1923  
*(Via United States Mail and email)*

Dated: June 21, 2017

  
\_\_\_\_\_  
Thomas Wyatt, Esquire  
PA I.D. # 89342  
Dilworth Paxson LLP  
1500 Market Street, Suite 3500E  
Philadelphia, PA 19102  
(215) 575-7286  
twyatt@dilworthlaw.com