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October 1, 2018

**VIA E-FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

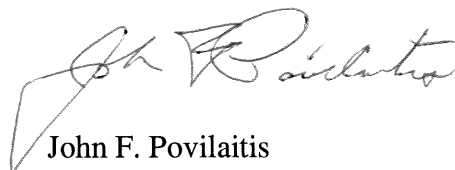
Re: Pennsylvania Public Utility Commission v. Aqua Pennsylvania, Inc. and Aqua  
Pennsylvania Wastewater, Inc.  
R-2018-3003558, R-2018-3003561

Dear Secretary Chiavetta:

On behalf of Masthope Mountain Community Property Owners Council, I have enclosed for electronic filing a Petition to Intervene of Masthope Mountain Community Property Owners Council in the above-captioned case.

Thank you for your consideration of this matter.

Very truly yours,



John F. Povilaitis  
*Counsel for Masthope Mountain Community  
Property Owners Council*

JFP/dag  
Enclosures  
cc: Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2018-3003558,
	:	R-2018-3003561
Aqua Pennsylvania, Inc.	:	
and Aqua Pennsylvania Wastewater, Inc.	:	

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**PETITION TO INTERVENE OF  
MASTHOPE MOUNTAIN COMMUNITY PROPERTY OWNERS COUNCIL**

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Masthope Mountain Community Property Owners Council (“Masthope”) hereby petitions to intervene in the above-captioned proceedings pursuant to Sections 5.71-5.75 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code §§ 5.71-5.75, and in connection therewith represent as follows:

1. Masthope is an incorporated association whose members consist of individual property owners within the service territory of Aqua Pennsylvania, Inc.’s CS Water Division and Aqua Pennsylvania Wastewater, Inc.’s CS Sewer Division (together “Aqua PA”). In addition, Masthope itself is a customer of Aqua PA for water service supplied to its recreational facilities. Because Masthope and its members are each customers of Aqua PA, Masthope has a direct interest in the Commission’s disposition of Original Tariff Water-PA P.U.C. No. 2 (“Tariff Water No. 2) and Original Tariff Sewer – PA P.U.C. No.2 (“Tariff Sewer No. 2) (together “Tariffs”) filed by Aqua PA on August 17, 2018.

2. By Order adopted and entered on September 20, 2018, at the above-captioned dockets, the Commission noted that Tariff Water No. 2 and Tariff Sewer No. 2

were suspended by operation of law and opened an investigation into the lawfulness, justness and reasonableness of the rates, rules and regulations in the Tariffs. In addition, the Commission set for investigation the lawfulness, justness and reasonableness of Aqua PA's existing water and wastewater rates, rules and regulations.

3. In its Statement of Reasons for its proposed rate increase, Aqua PA has requested an overall 16.13% increase in revenues based upon a fully projected future test year ending March 31, 2020. However, for its CS Water Division, Aqua PA proposes an increase in a typical residential customer's monthly bill from \$49.36 to \$69.07 - an increase of 40%. Aqua PA proposes an increase in a typical wastewater customer's monthly bill from \$28.99 to \$40.88 - an increase of 41%. In addition, Aqua PA has proposed to reassign the location of Masthope's service and rate zone for tariff purposes. Subject to Masthope's further investigation, this reassignment is unjust and unreasonable.

4. Aqua PA is also seeking an increase in rates for water service provided to Masthope's recreational facilities. This increase, and the residential water and wastewater rate increases sought by Aqua PA, constitute general rate increases according to Section 1308(d) of the Public Utility Code. 66 Pa. C.S. § 1308(d). Based on the preliminary review of Tariff Water No. 2 and Tariff Sewer No. 2 the rates proposed therein are unjust, unreasonable, and inconsistent with the Public Utility Code, sound ratemaking principles and public policy. In addition, the proposed rate design reflected in those tariffs is discriminatory, unjust, unreasonable, and violates ratemaking principles.

5. The names, address and telephone number of counsel for Masthoke are:

John F. Povilaitis  
Buchanan Ingersoll & Rooney P.C.  
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Harrisburg, Pennsylvania 17101  
Phone: (717) 237-4825  
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John.Povilaitis@bipc.com


6. Eligibility to intervene in Commission proceedings is governed by the Commission's rule at 52 Pa. Code § 5.72. Under Section 5.72, a "right or interest" sufficient to warrant intervention in a proceeding includes 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; or, another interest of such nature that participation of the petitioner may be in the public interest.

7. As a party whose members may experience an increase in their water and wastewater rates and as a direct customer of Aqua PA who, itself, may experience an increase in rates, Masthoke should be afforded an opportunity to participate in this proceeding and be heard on any issues that may directly affect the interests of customers prospectively.

8. As a direct customer and a representative association of many other customers of Aqua PA whose rates will be directly impacted by the proposed rate increases and tariff changes, Masthoke has direct and substantial interests in this proceeding that cannot be adequately represented by any other party. Masthoke has a direct interest in the outcome of the Commission's review of these rate increase proposals and therefore, has a right to participate as a party in this proceeding.

WHEREFORE, for the foregoing reasons, Masthope respectfully requests that its Petition to Intervene be granted and that the Commission grant it such other relief as is just and reasonable under the circumstances.

Dated: October 1, 2018

  
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John F. Povilaitis  
*Counsel for Masthope Mountain Community  
Property Owners Council*


**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2018-3003558,
	:	R-2018-3003561
	:	
Aqua Pennsylvania, Inc.	:	
and Aqua Pennsylvania Wastewater, Inc.	:	

**VERIFICATION**

I, Foster J. McCoy, Vice President of Masthope Mountain Community Property Owners Council, hereby state that the facts set forth in the Petition above are true and correct to the best of my knowledge, information, and belief. I understand that the statements made herein are subject to the penalties of 18 Pa.C.S. § 4904 (relating to the unsworn falsification to authorities).

September 25, 2018

  
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Foster J. McCoy  
Vice President of Masthope Mountain Community  
Property Owners Council

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2018-3003558,
	:	R-2018-3003561
Aqua Pennsylvania, Inc.	:	
and Aqua Pennsylvania Wastewater	:	

CERTIFICATE OF SERVICE

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

**Via First-Class Mail**


Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2 West  
Harrisburg, PA 17120

Office of Small Business Advocate  
300 North Second Street  
Suite 202, Commerce Building  
Harrisburg, PA 17101

Office of Consumer Advocate  
555 Walnut Avenue  
Fifth Floor Forum Place  
Harrisburg, PA -17101-1921

Anthony C. DeCusatis  
Morgan, Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103

Dated this 1<sup>st</sup> day of October, 2018.

  
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John F. Povilaitis, Esq.