

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2024-3045192 (Water)
Office of Consumer Advocate	:	R-2023-3045193 (Wastewater)
Office of Small Business Advocate	:	
	:	
v.	:	
	:	
Veolia Water Pennsylvania, Inc.	:	

**INTERIM ORDER
ADDING ADDITIONAL COMPLAINANTS TO PARTIES LIST AND
PROVIDING INFORMATION TO CUSTOMER COMPLAINANTS**

On February 16, 2024, Veolia Water Pennsylvania, Inc. (VWPA or Company) filed with the Pennsylvania Public Utility Commission (Commission) Supplement No. 68 to its Tariff Water – Pa. P.U.C. No. 7 (Supplement No. 68) at Docket No. R-2024-3045192 and Supplement No. 5 to its Tariff Wastewater – Pa. P.U.C. No. 2 (Supplement No. 5) at Docket No. R-2024-3045193. Through Supplement No. 68, the Company proposes a general increase in annual water revenues of \$15.4M per year, or 26%, including DSIC revenues. Through Supplement No. 5, the Company proposes a general increase in wastewater revenues of \$568K per year, or 35%. The Company proposes that the water and wastewater rate increases become effective on April 16, 2024.

On March 14, 2024, the Commission entered an Order initiating an investigation to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations in these proceedings, suspending the effective date of the proposed rates until November 16, 2024, and assigning these matters to the Office of Administrative Law Judge (OALJ) for the prompt scheduling of such hearings as may be necessary, culminating in the issuance of a recommended decision

On February 16, 2024, the Office of Consumer Advocate (OCA) filed a Rate Complaint in both the water and wastewater cases; the Complaint in the water case was docketed at C-2024-3046520, and the Complaint in the wastewater case was docketed at C-2024-3046521.

On February 21, 2024, the Bureau of Investigation and Enforcement (BIE) filed a Notice of Appearance in both the water and wastewater cases.

On February 26, 2024, the Office of Small Business Advocate (OSBA) filed a Rate Complaint in both the water and wastewater cases; the Complaint in the water case was docketed at C-2024-3046893, and the Complaint in the wastewater case was docketed at C-2024-3046956.

On March 8, 2024, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed a Petition to Intervene and Answer.

Additionally, as of the time of the prehearing conference, nine customers of VWPA had filed Rate Complaints, and many other customers had filed comments.

A prehearing conference was held on March 27, 2024, as scheduled. VWPA, OCA, OSBA, BIE, and CAUSE-PA were represented by counsel. Additionally, Elisa Guisto (Ms. Guisto), a customer who filed a Formal Rate Complaint in this proceeding, was present. The parties discussed a variety of matters, such as service, the litigation schedule, consolidation, CAUSE-PA's petition to intervene, the scheduling of public input hearings, and discovery rule modifications.

On April 1, 2024, I issued a Prehearing Order detailing the issues discussed, and memorializing rulings I made on the record. The reader is directed to this Order for a more detailed account of the Prehearing Conference.

With regard to customers who had filed Formal Complaints prior to the prehearing conference, I explained in my April 1, 2024, Prehearing Order, that if they wanted to

participate in this proceeding as an active party, they were required to file written correspondence with the Commission's Secretary's Bureau by April 12, 2024.

Of the customers who filed Formal Complaints prior to the prehearing conference, none of them filed written correspondence indicating an intention to participate as an active party. Therefore, these customers have been listed, and will remain listed, on the inactive party list.

On March 28, 2024, VWPA filed a Petition for a Protective Order. On March 29, 2024, I issued the Protective Order.¹

On April 1, 2024, I issued Evidentiary Hearing Notices, scheduling hearings for June 26, 27, and 28 to be held in-person in the Commission's offices in Harrisburg.

In its prehearing memorandum, and as discussed at the prehearing conference, VWPA proposed voluntarily extending the suspension period to November 22, 2024, so the Commission will have sufficient time to consider this matter at the November 7, 2024, public meeting date, on the condition that VWPA can recover approved rates from the original suspension deadline (November 16, 2024).

On April 2, 2024, I issued an Order granting VWPA's request to voluntarily extend the suspension period until November 22, 2024.

On April 5, 2024, VWPA filed its revised tariff supplements.

On April 8, 2024, the Commission issued Public Input Hearing Notices, scheduling public input hearings for April 29, 2024, and April 30, 2024.

¹ Due to a clerical error, the Protective Order was originally issued without my signature and date. The Protective Order was re-issued on April 11, 2024, properly signed and dated.

Since the prehearing conference, six additional customers have filed Formal Complaints.

All individuals who filed Formal Complaints on or after March 27, 2024, shall be listed on the inactive party list unless and until they file correspondence with the Commission's Secretary's Bureau indicating their intent to participate as an active party. Any individual filing such correspondence must also serve a copy to me and copies to each active party listed on the active party list.

In deciding whether to participate as an active party, customer complainants should be mindful that the active parties will be exchanging multiple rounds of written testimony with each other. This written testimony will likely be voluminous. If a customer complainant elects not to participate as an active party, he or she is not required to take any further action.

Further, a customer complainant who elects not to participate as an active party may still provide testimony at one of the public input hearings and will receive a copy of the Recommended Decision. If a customer complainant does wish to participate as an active party, he or she must comply with all the Commission's rules and regulations, as well as all terms and directives included in all previous Orders I have issued in this case. He or she must also comply with any future Order I may issue.

I also note that individuals may represent themselves or they may have an attorney represent them. All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*.² And, unless an individual is an attorney, he or she may not represent someone else.

² 52 Pa. Code §§ 1.21 & 1.22.

THEREFORE,

IT IS ORDERED:

1. All individuals or business entities who filed Formal Complaints on or after March 27, 2024, shall be considered inactive parties, and shall be listed on the inactive party service list, unless and until these individuals or business entities file written correspondence with the Commission's Secretary's Bureau indicating an intent to participate as an active party.

2. Any correspondence filed pursuant to Ordering Paragraph 1 shall be served on the presiding officer, as well as all parties listed on the active party list.

Date: April 18, 2024

_____/s/_____
Emily I. DeVoe
Administrative Law Judge

**R-2024-3045192, R-2024-3045193 - PENNSYLVANIA PUBLIC UTILITY COMMISSION
v. VEOLIA WATER PENNSYLVANIA INC**

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