

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
AQUA OHIO, INC. FOR AUTHORITY TO  
ASSESS A SYSTEM IMPROVEMENT  
CHARGE.

CASE NO. 19-567-WW-SIC

## ENTRY

Entered in the Journal on May 24, 2019

{¶ 1} On March 4, 2019, Aqua Ohio, Inc. (Aqua) filed an application for authority to collect a system improvement charge (SIC) for water service in its Lake Erie Division, Masury Division, and the service areas formerly served by Ohio American Water Company, Mohawk Utilities, Inc., and Tomahawk Utilities, Inc.

{¶ 2} R.C. 4909.172 governs the procedure for consideration of an application for authority to collect a SIC.

{¶ 3} Aqua states that it is a public utility and a waterworks company, as those terms are defined in R.C. 4905.02(A) and 4905.03(G).

{¶ 4} By Entry issued March 25, 2019, the attorney examiner, among other things, invited any interested persons to file comments regarding Aqua's application by May 24, 2019.

{¶ 5} On May 22, 2019, Staff filed a motion requesting an extension of the filing deadline for comments. Staff avers that the application is still under review and additional time is needed for Staff to perform a thorough plant in-service investigation review. Staff proposes that comments be due by July 15, 2019. Additionally, Staff contends that the Ohio Consumers' Counsel does not object to the requested extension; however, Aqua opposes the requested extension. Lastly, Staff requests an expedited ruling on its motion, pursuant to Ohio Adm. Code 4901-1-12(C).

{¶ 6} By Entry issued May 22, 2019, the attorney examiner gave Aqua the opportunity to file a response to Staff's motion to extend the filing deadline for comments.

Subsequently, on May 23, 2019, Aqua filed a memorandum contra Staff's motion for extension of the comment period. In its response, Aqua argues that Staff has not set forth good cause to extend the deadline for comments and gives no reason why it needs two additional months of review or the cause for delay in completing its investigation by the original comment date. Furthermore, Aqua avers that it has complied with all data requests received by Staff. Lastly, Aqua suggests that if the attorney examiner should grant an extension, the extension should not go beyond June 21, 2019.

{¶ 7} In accordance with Ohio Adm.Code 4901-1-12(C) and in order to provide Staff additional time to thoroughly complete its investigation, the attorney examiner grants in part and denies in part Staff's motion for an extension of the filing deadline. Accordingly, all interested stakeholders may file comments regarding Aqua's application by June 24, 2019. The attorney examiner notes that this time period corresponds with the comment period granted in Aqua's prior SIC case, Case No. 18-337-WW-SIC.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Staff's request for an expedited ruling be granted. It is, further,

{¶ 10} ORDERED, That the comment period be extended and all interested persons wishing to file comments regarding Aqua's application do so no later than June 24, 2019. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Lauren L. Augostini

By: Lauren L. Augostini  
Attorney Examiner

JRJ/hac

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 19-0567-WW-SIC**

Summary: Attorney Examiner Entry granting Staff's request for an expedited ruling and setting deadline for comments to be filed electronically filed by Heather A Chilcote on behalf of Lauren L. Augustini, Attorney Examiner, Public Utilities Commission of Ohio