



Jonathan Nase

Member

Harrisburg

jnase@cozen.com | (717) 773-4191

Jonathan has extensive experience in Pennsylvania administrative law, particularly public utility law. He has represented a wide range of clients, including public utilities (large and small); boroughs, counties, and other municipal corporations; real estate developers and other public utility consumers; and even medical marijuana providers. He has experience in every regulated utility industry in Pennsylvania: water, wastewater, steam, gas, electric, transportation, and telecommunications. Jonathan has assisted clients in completing complex transactions and has represented them in litigation before the Pennsylvania Public Utility Commission, the Pennsylvania Department of Health, and the Pennsylvania Office of Open Records, as well as the Commonwealth Court of Pennsylvania and the Supreme Court of Pennsylvania. Jonathan has also written articles about public utility law and has presented at conferences for attorneys, local government officials, engineers, and consultants.

Jonathan has a broad range of experience in both the public and private sectors. He served as a staff attorney for the Pennsylvania General Assembly for ten years before entering private practice. He subsequently returned to government service with the Pennsylvania Public Utility Commission, where he served as a Deputy Director in the Office of Special Assistants. Jonathan joined Cozen O'Connor in 2017.

Jonathan earned his law degree from the Duke University School of Law and his undergraduate degree from American University.

Experience

Mergers and Acquisitions

- Obtained Pennsylvania Public Utility Commission approval of KKR Infrastructure's acquisition of Clearway Energy's district steam and chilled water systems in Pittsburgh and Harrisburg. Commission approval was one of only two required regulatory approvals for the \$1.9 billion transaction. (PA PUC Docket No. A-2021- 3029619).
- Represented SUEZ in Pennsylvania Public Utility Commission approval of the \$15 billion combination of SUEZ into Veolia. Pennsylvania was one of five state regulatory approvals required for the transfer of control of SUEZ's regulated water/wastewater companies. (PA PUC Docket No. A-2021- 3026515).
- Represented SteelRiver Infrastructure Fund North America LP in its \$4.25 billion sale of Peoples Natural Gas Company LLC and Peoples Gas Company LLC to Aqua America, Inc. (now Essential Utilities, Inc.), including negotiation of regulatory provisions of the purchase and sale agreement and obtaining required regulatory approvals from the Pennsylvania Public Utility Commission (PA PUC Docket No. A-2018-3006061).
- Represented SUEZ Water Pennsylvania, Inc. in its acquisition of the assets of the Kensington Water Company, a public water utility in Franklin County, Pa. (PA PUC Docket Nos. A-2019-3012193 & A-2019-3012194).
- Represented Hercules Intermediate Holdings LLC in obtaining PA PUC approval of the transfer of

Practice Areas

- Telecommunications
- Utility & Energy

Industry Sectors

- Renewable Energy

Education

- Duke University School of Law, J.D., *with honors*, 1985
- American University, B.A., 1982

Bar Admissions

- Pennsylvania
- Ohio

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control of Laurel Pipe Line Company, L.P., from Buckeye Partners, L.P. to IFM Global Infrastructure Fund (PA PUC Docket No. A-2019-3011685).

- Represented Clearway Energy in its acquisition of the combined heat and power plant of Duquesne University, including negotiation of relevant agreements and obtaining a Pennsylvania Public Utility Commission Chief Counsel Opinion that steam service from the plant would not be jurisdictional public utility service.
- Represented Pennsylvania-American Water Company in its \$92 million fair market value rate base acquisition of the wastewater system of Exeter Township, Berks County, Pa. (PA PUC Docket No. A-2018-3004933).

Rate Cases

- Represented Pennsylvania-American Water Company in its 2020 Base Rate Proceeding before the Pennsylvania Public Utility Commission, which was fully litigated with strong opposition from the Pennsylvania Office of Consumer Advocate and the Pennsylvania Office of Small Business Advocate, among others, who argued against a rate increase because of the economic circumstances caused by the COVID-19 pandemic. In a 152-page Opinion and Order, the PUC approved an annual revenue increase of \$70.5 million, finding that PAWC was constitutionally entitled under the Takings Clause to a return on and of its investment in providing service to the public. To mitigate the impact on low-income customers, PAWC implemented enhanced customer assistance programs and delayed utility service terminations for non-payment (PA PUC Docket No. R-2020-3019369).
- Represented Hidden Valley Utility Services, L.P., in a case seeking PUC approval to raise water and wastewater rates for the first time in more than 13 years (PA PUC Docket Nos. R-2018-3001306 and 3001307).
- Represented Peoples Natural Gas Company LLC in its successful challenge to Duquesne Light Company's attempt to increase its back-up service rate for combined heat and power projects by 220 percent (PA PUC Docket No. R-2108-3000124).

Miscellaneous PUC Proceedings

- Represented SpaceX and its subsidiary, Starlink Services, LLC, in obtaining Eligible Telecommunications Carrier (ETC) status from the Pennsylvania Public Utility Commission (PA PUC Docket No. P-2021-3023580).
- Represented Peoples Natural Gas Company LLC in its voluntary Energy Efficiency & Conservation Plan Proceeding (PA PUC Docket No. M-2017-2640306).
- Represented a council of governments in obtaining a declaratory order finding that its construction and operation of a community broadband network would not subject it to regulation as a public utility (PA PUC Docket No. P-2018-3006603).
- Represented Pennsylvania-American Water Company in seeking a declaratory order that the Company complied with applicable laws and regulations in its dealings with a land developer (PUC Docket No. P-2017-2621723).
- Represented a real estate developer in its efforts to obtain wastewater service for its development. (PA PUC Docket NO. C-2020-3022179).

Medical Marijuana Proceedings

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- Represented Tri-Mountain Pure, LLC in its appeal of the Department of Health's denial of a grower/processor permit (DOH Docket No. MM 18-005 GP).

Office of Open Records Proceedings

- Represented Prime Wellness of Pennsylvania, LLC in contesting a Right to Know Law request for its application for a grower/processor permit (OOR Docket No. AP 2017-1667).