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December 18, 2019

VIA HAND DELIVERY

Honorable Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Pa. Public Utility Commission v. Twin lakes Utilities Inc.
Docket No. R-2019-3010958
Stipulation and Motion to Admit Testimony and Exhibits into the Record**

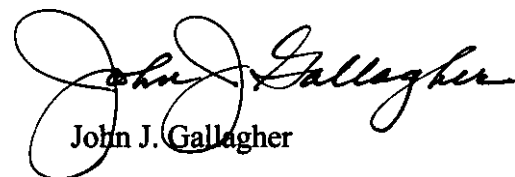
Dear Secretary Chiavetta:

On behalf of the Twin Lakes Utilities, Inc. ("Twin Lakes") please find enclosed a copy of the parties Stipulation and Motion to Admit Testimony and Exhibits into the Record together with separate signature pages.

Should you have any questions concerning this filing, please contact me at your convenience.

Copies of these documents have been served on the parties listed in the attached Certificate of Service.

Sincerely,


John J. Gallagher

cc: Certificate of Service
Mr. Jay Kooper, Esq.
Mr. A. Bruce O'Connor

PA PUC
SECRETARY'S BUREAU
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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission
V
Twin Lakes Water Utilities, Inc.**

**DOCKET NOS. R-2019-3010958
C-2019-3011845 et al**

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**MOTION FOR ADMISSION
OF TESTIMONY AND EXHIBITS**

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

TO THE HONORABLE MARTA GUHL ADMINISTRATIVE LAW JUDGE:

The undersigned move for admission into the evidentiary record of the respective testimony identified in the Stipulation for Admission of Testimony and Exhibits (“Stipulation”) attached hereto as Appendix A. This Motion and the Stipulation are being submitted in conjunction with the joint stipulation made by Twin Lakes Water Utilities Inc. (“Twin Lakes”), the Bureau of Investigation and Enforcement (“I&E”) and the Office of Consumer Advocate (“OCA”) which is attached hereto.

Pursuant to the Stipulation, all active parties to this proceeding have stipulated to the authenticity of the testimony and exhibits listed therein “Appendix A “and have waived cross-examination of the witnesses sponsoring their respective testimony. In addition, the parties have also executed a stipulation related to lead, which is attached hereto as “Appendix B”.

Accordingly, the parties request that the Administrative Law Judge grant this Motion and admit into the evidentiary record the respective testimony listed in the attached Stipulation. In addition, the parties’ request that the information contained in Appendix B (the lead stipulation) be entered into the record of the proceeding. Lastly the undersigned request that the hearings

scheduled for this matter for December 19, and 20 2019 be cancelled.

Respectfully submitted:



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Dated: December 17, 2019

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APPENDIX A

STIPULATION FOR ADMISSION OF TESTIMONY AND EXHIBITS PARTIES TESTIMONY AND EXHIBITS

Twin Lakes Testimony and Exhibits

a. Direct

- 1. Twin Lakes Water Utilities Inc. Statement No.1- Direct Testimony of ABOConnor- ABOC-1**
- 2. Twin Lakes Water Utilities Inc. Statement No. 2- Direct Testimony of Michele D.Tilley- MDT-2**
- 3. Twin Lakes Water Utilities Inc. Statement No. 3-Direct Testimony of Robert K. Fullagar- RKF-2**

b. Rebuttal

- 1. Twin Lakes Water Utilities Inc. Statement No.2-R Rebuttal Testimony of Michele D. Tilley-MDT-2**
- 2. Twin Lakes Water Utilities Inc. Statement No. 2-R Rebuttal Testimony of Robert K. Fullagar-RKF-2R**

Bureau of Investigation and Enforcement Testimony and Exhibits:

a. Direct

- 1. I&E Statement No. 1 – Direct Testimony of John Zalesky and I&E Exhibit No. 1**
- 2. I&E Statement No. 2 – Direct Testimony of Christopher M. Henkel, and I&E Exhibit No. 2**
- 3. I&E Statement No. 3 – Direct Testimony of Esyan A. Sakaya, and Exhibit No. 3**

b. Surrebuttal

- 1. I&E Statement No. 1-SR – Surrebuttal Testimony of John Zalesky**
- 2. I&E Statement No. 2-SR – Surrebuttal Testimony of Christopher M. Henkel, and I&E Exhibit No. 2-SR**
- 3. I&E Statement No. 3-SR – Surrebuttal Testimony of Esyan A. Sakaya**

Office of Consumer Advocate Testimony and Exhibits:

a. Direct

- 1. OCA Statement No. 1 – Direct Testimony and Exhibits of Stacy L. Sherwood**
- 2. OCA Statement No. 2 – Direct Testimony and Exhibits of Aaron L. Rothschild**
- 3. OCA Statement No. 3 – Direct Testimony of Terry L. Fought; Exhibit TLF-1, Exhibit TLF-2, Exhibit TLF-3, and Exhibit TLF-4**

b. Surrebuttal

- 1. OCA Statement No. 1SR – Surrebuttal Testimony and Exhibits of Stacy L. Sherwood**
- 2. OCA Statement No. 3SR – Surrebuttal Testimony of Terry L. Fought; Exhibit TLF-5**

APPENDIX B

**Pennsylvania Public Utility Commission
V.
Twin Lakes Utilities, Inc.
Docket No. R-2019-3010958
2019 Base Rate Case Proceeding**

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

STIPULATION OF THE PARTIES

Prior to the August 18, 2019 sampling event, Twin Lakes Utilities, Inc. (TLUI) was in compliance with the Lead and Copper Rule.

As a result of being in compliance with the Lead and Copper Rule, TLUI qualified for reduced monitoring in accordance with the regulations. Reduced monitoring allowed the water system to obtain fewer samples and at a reduced frequency. For TLUI the reduced monitoring required the system to obtain 5 samples once every three years.

Prior to the August 18, 2019 sampling event the previous lead and copper testing was conducted on July 25, 2016.

The 2016 lead results and sample locations (customer premises) are as follows:

<u>Lead (ppb)</u>	<u>Location</u>
<5	118 Sagamore Road
<5	118 Cheyenne Road
<5	109 Shawnee Road
<5	115 Beach Road
5.7	128 Ottawa Trail

In accordance with the reduced monitoring protocol, TLUI initiated lead and copper sampling on August 18, 2019. At this time only 3 of the 5 customer sample locations needed could be obtained as 128 Ottawa Trail was vacant/abandoned and 118 Cheyenne had installed a private well and was no longer a TLUI customer.

While TLUI and Prosser worked on acquiring two replacement sample locations, the results of the 3 samples that had been collected were obtained on August 29, 2019. These analysis revealed result in excess of the action level for lead at 115 Beach Road. The lead action level exceedance was verbally communicated to TLUI by Prosser and in response TLUI notified our Pennsylvania Department of Environmental Protection (PADEP) Sanitarian, Mary-Anne Seese, on August 29, 2019. The date that the official analytical report was received by TLUI for the first 3 sample locations was September 3, 2019.

Upon notification on August 29, 2019, the PADEP instructed TLUI to obtain the 2 replacement samples and 5 additional samples.

These samples were obtained on September 15, 2019 and the results were verbally communicated to TLUI by Prosser and to the PADEP by TLUI on September 19, 2019. The date that the official analytical report was received by TLUI for the second round of sampling was October 3, 2019.

The results of the samples obtained in the first and second rounds of the testing conducted in 2019 are as follows:

<u>Sample Site</u>	<u>Lead Result (ppb)</u>	<u>Sample Date</u>
115 Beach Rd.	33	8/18/19
109 Shawnee Rd.	<5	8/18/19
118 Sagamore Rd.	<5	8/18/19
172 Twin Lakes Dr.	<5	9/15/19
133 Twin Lakes Dr.	50	9/15/19
116 Josephine Ln.	5	9/15/19
100 Cheyenne Rd.	<5	9/15/19
106 Sagamore Rd.	<5	9/15/19
189 Twin Lakes Dr.	<5	9/15/19
103 Susan Ln.	<5	9/15/19

As of December 5, 2019 no fine or penalty has been assessed the PADEP.

In response to the elevated lead action level TLUI has taken the following actions:

- Notified the PADEP.
- Obtained additional lead and copper samples.
- Notified the customer of record at the address of the sampling locations of their specific sample results.
- Issued the mandatory public notification to all customers of the system.
- Obtained the first round of water quality parameters (WQP) samples (pH, alkalinity, calcium, conductivity and temperature) on November 15, 2019.
- Sampled for lead in the raw water and at the entry point to the system on November 15, 2019.

The results of the first round of WQP sampling was received by TLUI from Prosser on December 5, 2019 and are as follows:

<u>Parameter</u>	<u>Raw Water</u>	<u>Entry Point</u>	<u>System</u>
pH (field test)	5.9	6.11	6.15
Temp. (C)	10.3	11.0	10.4
Hardness mg/l	28.0	30.0	28.0
Alkalinity mg/l	47.0	51.5	51.0
Conductivity umhos/cm ²	112	126	125

The results for lead in the raw water and at the entry point on November was <5 ppb for both samples.

Going forward TLUI will be taking the following actions:

- Sample the raw, well-water for lead.
- No longer eligible for reduced monitoring, resume lead and copper monitoring at 10 sample locations twice per year.
- Continue WQP monitoring (pH, alkalinity, calcium, conductivity and temperature).
- Initiate the corrosion control feasibility study depending on the results of the upcoming water quality parameters and lead and copper sample results.
- The Company shall provide copies, to OCA and I&E , of the August and September 2019 test results from the laboratory;
- The Company shall continue to provide copies, to OCA and I&E, of all lead and copper test results taken going forward until it returns to reduced monitoring status;
- The Company shall provide copies, to OCA and I&E, of the test results for the additional water quality parameters that it must test for pursuant to 25 Pa. Code § 109.301;
- The Company shall provide a copy, to OCA and I&E, of its corrosion control study when it is submitted to DEP;
- The Company shall provide a copy, to OCA and I&E, of all future notices to its customers regarding the exceedance of the lead action level;
- The Company shall inform its customers that it will test for lead levels at an individual's house upon request. The Company shall immediately provide this information by its phone messaging system and on its website and then on each bill until it returns to reduced monitoring status and;
- The Company shall inform its customers about steps that a customer can take to reduce exposure to lead in water by posting the information prominently on its website starting immediately, and provide this information at least every three months through bill insert.
- The Company shall provide the notice sent on November 2019 and information regarding available testing to all new customers when the customer contacts Twin Lakes regarding a new customer account.

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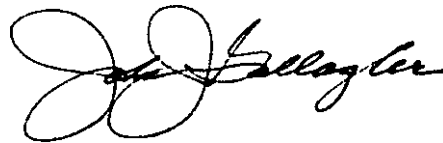
Pennsylvania Public Utility Commission	:	DOCKET NOS. R-2019-3010958
V.	:	C-2019-3011845 et al
Twin Lakes Water Utilities, Inc.	:	
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**STIPULATION FOR ADMISSION
OF TESTIMONY AND EXHIBITS**

The undersigned, being all active parties to this proceeding: **(1)** hereby stipulate the authenticity of the following testimony and exhibits which were previously served upon all the parties and upon the presiding Administrative Law Judge and Listed in Appendix A: (a) Twin Lakes Water Utilities, Inc. Company Direct Testimony Statement Nos. , and Twin Lakes Water Utilities Inc.: Direct Testimony Statement Nos 1, 2 and 3 and related exhibits, Rebuttal Testimony Statement Nos.1 and 2 together with related exhibits; and, (b) Office of Consumer Advocate Direct Testimony Statements No.1, 2 and 3, along with related Exhibits and Office of Consumer Advocate Surrebuttal Testimony Statements No. 1SR and 3SR; and (c) the Bureau of Investigation and Enforcement Direct Testimony Statement Nos. 1, 2 and 3 and Exhibit Nos. 1, 2, and 3 and Surrebuttal Testimony Statement Nos. 1-SR, 2-SR, and 3-SR and Exhibit No. 2-SR **(2)** acknowledge and agree that they waive cross-examination with respect to the respective testimony listed in 1(a), (b) and (c) above, and, **(3)** further stipulate that the testimony listed in 1(a), (b) and (c) above should be admitted into the record in this case. Additionally, the parties request that the Stipulation contained in Appendix B be admitted into the record in this case.

Accordingly, this Stipulation for Admission of Testimony and Exhibits is hereby submitted.

Respectfully submitted:



Dated: December 17, 2019

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Accordingly, this Stipulation for Admission of Testimony and Exhibits is hereby submitted.

Respectfully submitted:

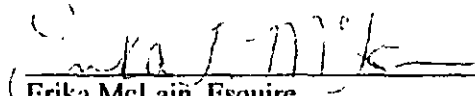
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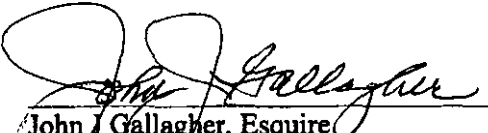


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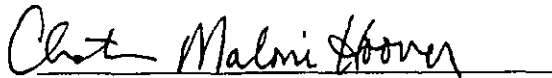
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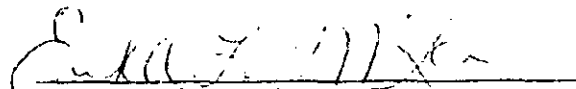
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in the manner indicated below, and in accordance with the requirements of § 1.54 (relating to service by a party).

VIA ELECTRONIC MAIL AND HAND DELIVERY

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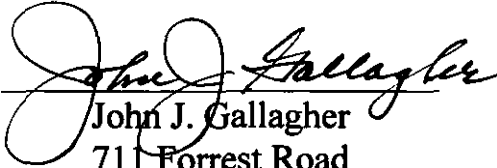
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