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May 8, 2020

*Via Electronic Filing*

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17105-3265

In re: Docket No. A-2019-3015173

Application of Aqua Pennsylvania Wastewater, Inc. pursuant to Sections 1102, 1329 and 507 of the Public Utility Code for Approval of its Acquisition of the Wastewater System Assets of the Delaware County Regional Water Quality Control Authority

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Dear Secretary Chiavetta:

We are counsel to Aqua Pennsylvania Wastewater, Inc. ("Aqua" or "Company") in connection with its above referenced Application, filed with the Public Utility Commission on March 3, 2020, pursuant to Sections 1102, 1329 and 507 of the Public Utility Code, for approval of the acquisition of the wastewater system assets of the Delaware County Regional Water Quality Control Authority. The Bureau of Technical Utility Services is reviewing the Application and has asked that we address certain requests for additional information. We addressed several requests in letters filed with you on May 6 and 7, 2020. The remaining responses are addressed hereinafter.

**INFORMATION REQUEST 3:**

Checklist Item No. 12 – The Class V – Form Waste Section of Application's Exhibit G, First Revised Page 14 indicates a discount of 5.00% shall apply for hauled or delivered waste with greater than 90.0% volatile solids. Delaware County Regional Water Control Authority's (DELCORA's) Resolution No. 2019-05 Page 3, provided as the last page in the Application's Exhibit H, indicates a discount of 10% shall apply for hauled or delivered waste with greater than 90% volatile solids. Please amend the Application's Exhibit G to include the correct percentage discount for hauled or delivered waste with greater than 90% volatile solids under the Class V – Form Waste section.

**RESPONSE:**

A corrected copy of Application Exhibit G – Schedule of Rates Tariff Pages is included with this letter.

**INFORMATION REQUEST 4:**

Checklist Item No. 15.b. – The Application's Exhibit D, Section 8 does not provide a comprehensive list of all non-depreciable property such as land and rights-of-way as the

Application's Exhibit B-1, Schedule 4.09, provides an "In process" list of land and easements that is more comprehensive. Please amend the Application's Exhibit D to provide a complete listing of all land and rights-of-way for the DELCORA system indicating, at a minimum, all the parcels held in fee ownership, exclusive or non-exclusive easement or leasehold.

**RESPONSE:**

A corrected copy of Sections 5 and 8 of Application Exhibit D is included with this letter.

**INFORMATION REQUEST 5:**

Checklist Item No. 16.f. – The Application's Exhibits A-1 through A-6 do not depict the locations of the Eddystone Pumping Station (PS-10), Delaware River Interceptor Bypass (PB-33), Brookhaven Road Pumping Station (PS-A), and Old Mill Pumping Station (PS-B) as listed in the Application's Exhibit D, Section 8, List of Assets and Costs. Please amend the Application's Exhibits A-1 through A-6, as applicable, to include the locations of the Delaware River Interceptor Bypass and the Eddystone, Brookhaven Road, and Old Mill Pumping Stations.

**RESPONSE:**

Amended PUBLIC versions of Application Exhibit A5 – Rose Valley, Application Exhibit A6 – Chester City and Application Exhibit A1 – Index are included with this letter. An amended CONFIDENTIAL version of Application Exhibit A5 – Rose Valley and an amended CONFIDENTIAL version of Application Exhibit A6 – Chester City are being provided to the Secretary of the Commission by email correspondence.

**INFORMATION REQUEST 8:**

Checklist Item Nos. 12 and 18.a. – The Application's Exhibit A4 indicates DELCORA serves several customers in Upper Providence Township. However, the Applications' Exhibits G and H do not include rates for DELCORA's customers in Upper Providence Township. Please amend the following:

- a. The Application's Exhibit G to include the rates for Upper Providence Township customers; and
- b. The Application's Exhibit H to include a copy of the DELCORA resolution establishing rates for customers in Upper Providence Township.

**RESPONSE:**

Aqua will provide a copy of the amended DELCORA resolution following DELCORA's next board meeting on May 19, 2020. An amended PUBLIC version of Application Exhibit A4 – Edgmont is included with this letter. An amended CONFIDENTIAL version of Application Exhibit A4 – Edgmont is being provided to the Secretary of the Commission by email correspondence.

**INFORMATION REQUEST 9:**

Checklist Item Nos. 12 and 18.a. – The Application's Exhibit A6 indicates DELCORA serves several customers in Woodlyn Township. However, the Application's Exhibits G and H do not include rates for DELCORA's customers in Woodlyn Township. Please amend the following:

- a. The Application's Exhibit G to include the rates for Woodlyn Township customers; and
- b. The Application's Exhibit H to include a copy of the DELCORA resolution establishing rates for customers in Woodlyn Township.

**RESPONSE:**

Woodlyn is not a township. Woodlyn is a census designated area within Ridley Township. Customers in Ridley Township shown on Application Exhibit A6 are charged the rates set forth under Resolution 2019-15 included in Application Exhibit H. A corrected copy of Application Exhibit G – Schedule of Rates Tariff Pages which includes Woodlyn, Ridley Township (portion) is included with this letter. Aqua will provide a copy of the amended DELCORA resolution following DELCORA's next board meeting on May 19, 2020.

**INFORMATION REQUEST 10:**

Checklist Item Nos. 12 and 18.a. – The Application's Exhibit A6 indicates DELCORA serves several customers in Brookhaven Borough. However, the Application's Exhibits G and H do not include rates for DELCORA's customers in Brookhaven Borough. Please amend the following:

- a. The Application's Exhibit G to include the rates for Brookhaven Borough customers; and
- b. The Application's Exhibit H to include a copy of the DELCORA resolution establishing rates for customers in Brookhaven Borough.

**RESPONSE:**

Customers in Brookhaven Borough shown on Application Exhibit A6 are charged the rates set forth under Resolution 2019-16 and 2019-17 included in Application Exhibit H. A corrected copy of Application Exhibit G – Schedule of Rates Tariff Pages which includes Brookhaven Borough (portion) is included with this letter. Aqua will provide copies of the amended DELCORA resolutions following DELCORA's next board meeting on May 19, 2020.

**INFORMATION REQUEST 11:**

Checklist Item Nos. 12 and 18.a. – The Application's Exhibit A6 indicates DELCORA serves several customers in Upper Chichester Township. However, the Application's Exhibits G and H do not include rates for DELCORA's customers in Upper Chichester Township. Please amend the following:

- a. The Application's Exhibit G to include the rates for Upper Chichester Township customers; and
- b. The Application's Exhibit H to include a copy of the DELCORA resolution establishing rates for customers in Upper Chichester Township.

**RESPONSE:**

Customers in Upper Chichester Township shown on Application Exhibit A6 are charged the rates set forth under Resolution 2019-15 and 2019-19 included in Application Exhibit H. A corrected copy of Application Exhibit G – Schedule of Rates Tariff Pages which includes Upper Chichester Township (portion) is included with this letter. Aqua will provide copies of the amended DELCORA resolutions following DELCORA's next board meeting on May 19, 2020.

**INFORMATION REQUEST 12:**

Checklist Item No. 12 and 18.a. – The Application's Exhibit H does not include DELCORA's rates for DELCORA's customers in Nether Providence Township. Please amend the Application's Exhibit H to include a copy of the DELCORA resolution establishing rates for customers in Nether Providence Township.

**RESPONSE:**

An amended PUBLIC version of Application Exhibit A5 – Rose Valley is included with this letter. An amended CONFIDENTIAL version of Application Exhibit A5 – Rose Valley is being provided to the Secretary of the Commission by email correspondence. Upon further review by DELCORA of the service area, residents of Nether Providence are not directly billed customers of DELCORA, however, DELCORA bills Nether Providence Township on an EDU basis for customers whose flow goes through Rose Valley.

**INFORMATION REQUEST 13:**

Checklist Item No. 18.b. – The Application's Exhibit H does not include DELCORA's rules and regulations regarding eligibility requirements to be considered a member of the following customer classes indicated in Resolutions Nos. 21-25 and 30: Western Wholesale, EDU Wholesale, Retail Industrial, Wholesale Industrial, Eastern Wholesale and Chester Ridley Creek. Please amend the Application's Exhibit H to include DELCORA's rules and regulations regarding eligibility requirements to be considered a member of each of these customer classes.

**RESPONSE:**

The Company is implementing the existing rates of DELCORA under their existing rate resolutions. Please refer to Exhibit H, Resolution 2011-04, Article 300, under which customers apply for service in accordance with the nature of the wastewater flow and the manner in which wastewater gets to the DELCORA facilities.

**INFORMATION REQUEST 14:**

Checklist Item No. 18.c. – The Application’s Exhibit G does not include APW’s proposed rates, rules and conditions of service regarding eligibility requirements to be considered a member of the following customer classes indicated in the Application’s Exhibit H, Resolutions Nos. 21-25 and 30: Western Wholesale, EDU Wholesale, Retail Industrial, Wholesale Industrial, Eastern Wholesale and Chester Ridley Creek. Please amend the Application’s Exhibit G to include APW’s proposed rates, rules and conditions of service regarding eligibility requirements to be considered a member of each of these customer classes.

**RESPONSE:**

The Company is implementing the existing rates of DELCORA under their existing rate resolutions. Application Exhibit G – Schedule of Rates Tariff Pages, Original Page 8.XX.1 states: “Wastewater customers in the Delcora Division are required to comply with DELCORA’s wastewater control regulations adopted by DELCORA and included in Exhibit H”.

**INFORMATION REQUEST 15:**

Checklist Item No. 18.c. – The Application’s Exhibit G does not include APW’s proposed rates, rules, and conditions of service regarding wastewater service to customers located in the Springhill Farms proposed service territory indicated in the Application’s Exhibit A3. Please provide APW’s proposed rates, rules, and conditions of service regarding wastewater service to customers located in the Springhill Farms proposed service territory.

**RESPONSE:**

An amended Application Exhibit G – Schedule of Rates Tariff Pages to includes Chadds Ford Township (portion) and Concord Township (portion) in the Territories Served is included in this letter. DELCORA will not own Springhill Farms until the end of 2020, when construction is scheduled to be complete. The Company has anticipated the revenue for Springhill Farms in Appendix A and will update the tariff when rates become memorialized by Resolution before the end of 2020.

**INFORMATION REQUEST 19:**

Checklist Item Nos. 22.a. – The Application's Exhibit A2 indicates the requested service territory includes a portion of Pocopson Township. For this portion of the requested service territory:

- a. Please provide evidence the requested territory complies with service territory defined by Pocopson Township's DEP-approved Official Sewage Facilities Act 537 Plan; and
- b. Provide a copy the DEP-approved Act 537 Plan for Pocopson Township, including associated Sewage Facilities Planning Modules for the Pocopson Riverside and Preserve requested service territories.

**RESPONSE:**

Pocopson Township does not have a Township-wide Act 537 Plan, and instead operates under the Chester County Master Sewer Plan included with the Application as Exhibit P4. Copies of both the Sewage Facilities Planning Module for Pocopson Preserve (Corinne Village) Revised March 15, 2005, and the Pocopson Township Act 537 Plan Special Study for Lenape-Pocopson Study Area, May 2009, are included with this letter. Copies of the Pocopson Township Resolution No. 2005-8 related to Pocopson Preserve (Corinne Village) approving Plan revisions for new land development and Resolution No. 2009-12 related to Pocopson Riverside (Sheeder Tract) approving an update to Pocopson Township's Act 537 Plan Special Study are included with this letter.

**INFORMATION REQUEST 27:**

Checklist Item No. 24.d – Schedule 4.09 of the APA provided in the Application as Exhibit B1 does not adequately describe the owned real property to be transferred, in some cases listing an address and, in others, just street names. Please provide a list and description of the real property by address, parcel number, or other definitive means which specifically identifies the real property to be transferred as part of this transaction.

**RESPONSE:**

An amended Schedule 4.09 to Application Exhibit B1 is included with this letter.

**INFORMATION REQUEST 34:**

Checklist Item No. 25 - The Application's Exhibit F120 is missing its copy of its Exhibit B Study Area Map. Please provide a copy of this exhibit.

**RESPONSE:**

Aqua and DELCORA are in the process of locating the Exhibit B Study Area map with Pocopson Township, and will provide the map when it is located.

May 8, 2020

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The Verification of William C. Packer verifying the foregoing and the facts set forth in our letter of May 7, 2020, is attached hereto.

Aqua believes that, with this letter and accompanying documentation, it has complied with the Bureau of Technical Utility Services requests for supplemental information and asks that the Public Utility Commission acknowledge that the Application has been perfected.

Please contact me with any questions about the foregoing.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By



Thomas T. Niesen

cc: Certificate of Service (w/encl.)  
Alexander R. Stahl, Esquire (via email, w/encl.)  
Thomas S. Wyatt, Esquire (via email, w/encl.)

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 8<sup>th</sup> day of May, 2020, served a true and correct copy of the foregoing Letter and Additional Information, including Confidential Information, upon the persons and in the manner set forth below:

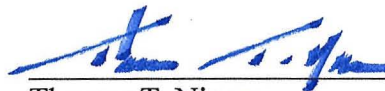
**VIA ELECTRONIC MAIL**

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