



Office of the Adams County Commissioners

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Commissioners: Randy L. Phiel, James E. Martin, Marty Karsteter Qually

County Manager: Albert M. Penksa, Jr. CGFM Chief Clerk: Paula V. Neiman

Solicitor: John M. Hartzell

March 13, 2013

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

RECEIVED
2013 MAR 14 AM 10:39
PA P.U.C.
SECRETARY'S BUREAU

RE: Proposed Sale of Franklin Township Municipal Sewer Authority Assets (Docket A-2013-2344624)

Dear Ms. Chiavetta:

The Board of Commissioners of the County of Adams ("Board") has been contacted by John S. Phillips, Esquire, Solicitor to the Franklin Township Municipal Sewer Authority ("Authority"), concerning the Authority's proposal to transfer assets of the Authority to the Pennsylvania-American Water Company ("PAWC"). This transfer requires approval of the Pennsylvania Public Utility Commission ("PUC"). As part of the approval process PUC required that PAWC respond to certain informational requests addressed to counsel for PAWC in a PUC letter dated February 25, 2013. Among those requests was one contained at A-5 of an attachment entitled "Discovery 1," which requested PAWC "Provide a letter from Adams County in support of the acquisition."

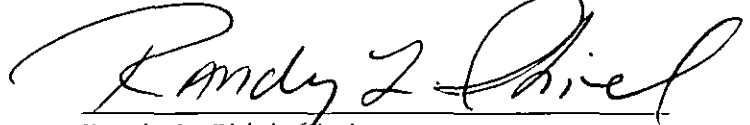
Counties have a limited statutory role under the Pennsylvania Sewage Facilities Act, Act 537 of 1965, codified at 35 P.S. §§ 750.1 – 750.20a, absent the existence of a county health department. 35 P.S. § 750.8. The County of Adams does not have a department of health, and therefore such responsibilities rest with the municipalities of Adams County. Based upon the foregoing, the Board believes it would be inappropriate to make a declaration stating that the Board of Commissioners, as the executive and legislative body for Adams County, approves or supports the transfer of the assets of the Authority to PAWC. Such a declaration or determination presupposes a certain level of knowledge and expertise, as well as the application of judgment to any knowledge and expertise. The Board believes that such assumptions, which would likely be drawn from a letter of support, would be inappropriate.

However, the Board is aware of the above proposed transaction, and does not object to or oppose the proposed transfer of the assets from the Franklin Township Municipal Sewer Authority to the Pennsylvania America Water Authority.

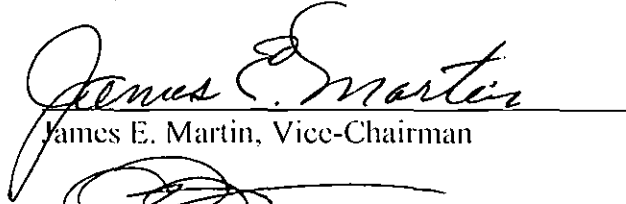
We believe this letter of no objection should be sufficient for PUC purposes. Please contact County Manager Albert Penksa with any questions of follow-up.

Sincerely yours,

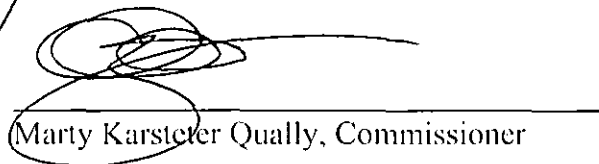
ADAMS COUNTY COMMISSIONERS



Randy L. Phiel, Chairman



James E. Martin, Vice-Chairman



Marty Karsteter Qually, Commissioner

cc: Paula V. Neiman, Chief Clerk
Albert M. Penksa, Jr., County Manager
John M. Hartzell, Esquire, Adams County Solicitor

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