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File #: 2275/156962

December 24, 2013

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: IN THE MATTER OF THE APPLICATION OF THE YORK WATER COMPANY, Under Sections 507, 1102(a)(1) and 1102(a)(3) of the Public Utility Code, for Approval of the Right of THE YORK WATER COMPANY to (1) Enter into a Municipal Contract to Acquire Certain Public Wastewater Facilities from East Prospect Borough Authority, (2) to Offer or Furnish Wastewater Service to the Public in the Borough of East Prospect and Portions of Lower Windsor Township, York County, Pennsylvania Served by East Prospect Borough Authority and (3) to Begin to Offer or Furnish Wastewater Service to the Public in Additional Portions of Lower Windsor Township, York County, Pennsylvania
Docket No. A-2013-2394181 and U-2013-2394182**

Dear Secretary Chiavetta:

Enclosed for filing please find the Amendment to the Application of The York Water Company. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Jessica R. Rogers

JRR/skr
Enclosure

cc: Certificate of Service
E. Festus Odubo

ALLENTOWN HARRISBURG LANCASTER PHILADELPHIA PITTSBURGH PRINCETON WASHINGTON, D.C.

A PENNSYLVANIA PROFESSIONAL CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL

York County Commissioners
One West Market Way
Fourth Floor
York, PA 17401

East Prospect Borough Authority
P.O. Box 334
East Prospect, PA 17317

Felicia Dell
York County Planning Commission
100 West Market Street
York, PA 17405

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Michael A. Gruin, Esquire
Stevens & Lee
17 North 2nd Street, 16th Floor
Harrisburg, PA 17101

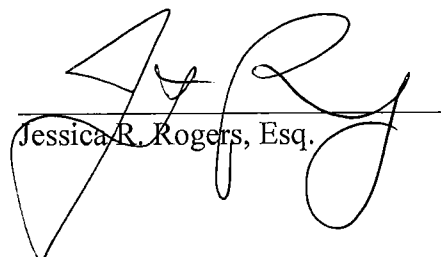
Office of Small Business Advocate
Commerce Building
300 North Second Street, Suite 1102
Harrisburg, PA 17101

Bureau of Investigation and Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265

Larry L. Wolfe
2698 Forest Road
York, PA 17402

Department of Environmental Protection
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Dated: December 24, 2013



Jessica R. Rogers, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

IN THE MATTER OF THE APPLICATION OF THE :
YORK WATER COMPANY, Under Sections 507, :
1102(a)(1) and 1102(a)(3) of the Public Utility Code, :
for Approval of the Right of THE YORK WATER :
COMPANY to (1) Enter into a Municipal Contract to :
Acquire Certain Public Wastewater Facilities from :
East Prospect Borough Authority, (2) to Offer or :
Furnish Wastewater Service to the Public in the : Docket No. A-2013-2394181
Borough of East Prospect and Portions of Lower : U-2013-2394182
Windsor Township, York County, Pennsylvania :
Served by East Prospect Borough Authority and (3) to :
Begin to Offer or Furnish Wastewater Service to the :
Public in Additional Portions of Lower Windsor :
Township, York County, Pennsylvania.

**AMENDMENT TO THE APPLICATION
OF THE YORK WATER COMPANY**

The York Water Company (“York Water” or the “Company”), by and through its legal counsel, hereby files this Amendment to the Application of the York Water Company to acquire the public wastewater facilities of the East Prospect Borough Authority, to offer to furnish wastewater service to the public in the Borough of East Prospect and portions of Lower Windsor Township currently served by the East Prospect Borough Authority, and to offer or furnish wastewater service to the public in additional portions of Lower Windsor Township (“Application”). York Water submits this Amendment, pursuant to 52 Pa. Code § 5.91, to clarify York Water’s intent regarding changes for sewer service following the acquisition and the effect of the acquisition upon the rates of York Water’s public water service customers. The Amendment is submitted to resolve an outstanding protest by Larry L. Wolfe (“Mr. Wolfe”). In support thereof, York Water states as follows:

I. Background

1. York Water is a public utility subject to the Pennsylvania Public Utility Commission's ("Commission") regulatory jurisdiction. York Water provides water service to approximately 57,000 customers in the City of York, surrounding communities in York County and portions of Adams County. In addition, the Company provides wastewater service to one community in East Manchester Township, York County. The Company currently provides wastewater service to approximately 233 customers in a community known as Asbury Pointe.

2. On November 18, 2013, York Water filed its Application with the Commission. In its Application the Company seeks approval to acquire the facilities of the East Prospect Borough Authority and to provide wastewater service to East Prospect Borough and portions of Lower Windsor Township.

3. As part of its Application, the Company has requested that the Commission approve a revised wastewater tariff. The wastewater tariff includes separate tariff rates for York Water's existing wastewater customers in Asbury Pointe, as well as proposed rates for the customers currently being served by the East Prospect Borough Authority.

4. Currently, the East Prospect Borough Authority charges its customers on a quarterly basis. The rates proposed by York Water for the existing customers of East Prospect Borough Authority will be on a monthly basis, but will result in customers paying substantially similar rates annually.

5. On December 16, 2013, Larry L. Wolfe ("Mr. Wolfe") filed a protest to the Application. In his protest, Mr. Wolfe requests that either the Application be denied, or, in the alternative, that the Commission make a specific finding that York Water cannot allocate a portion of the revenue requirement associated with the operation of the East Prospect Borough

Authority wastewater system to its water customers under Section 1311(c) of the Public Utility Code. 66 Pa. C.S. § 1311(c).

6. Subsequent to the filing of his protest, Mr. Wolfe met with the Company to discuss his concerns. As a result of those discussions, the Company has agreed to amend its Application, as described in the following section of this filing, in exchange for Mr. Wolfe's agreement to withdraw his protest.

7. A Notice of Withdrawal signed by Mr. Wolfe was filed with the Commission, stating that as a result of the filing of this Amendment he is withdrawing his protest. The Notice was dated December 23, 2013 and was received in the office of counsel for York Water on December 24, 2013.

II. Amendment

8. York Water hereby amends Section 11 of its Application, which discusses the proposed rates for service to customers currently served by the East Prospect Borough Authority, through the addition of the following paragraph:

York Water does not seek through this Application to allocate a portion of the revenue requirement of the East Prospect Borough Authority system to its water customers under 66 Pa. C.S. § 1311(c), and the Company has made no determination at this time whether to propose such an allocation in the future. The Company will not seek to obtain approval for any such allocation until its next base rate proceeding. Should the Company determine to propose an allocation at the time of its next base rate proceeding, York Water will provide notice to both water and wastewater customers of its intention to allocate a portion of the revenue requirement, and such notice will be provided consistent with the requirements identified in the Pennsylvania Code and the Commission's Regulations.

9. This language clarifies York Water's original intention with respect to rate recovery and provides assurance to its customers that the Application is not intended to request

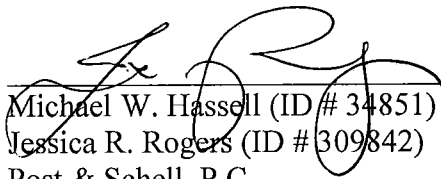
or seek approval for any ratemaking treatment associated with the acquisition, particularly related to any allocation of a portion of the wastewater system's revenue requirement to water customers.

10. The Amendment does not seek to expand the scope of York Water's Application in any way.

III. Conclusion

Wherefore, the York Water Company requests that the Commission approve the Company's Application as amended.

Respectfully submitted,



Michael W. Hassell (ID # 34851)
Jessica R. Rogers (ID # 309842)

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Of Counsel:
Post & Schell, P.C.

Date: December 24, 2013

Attorneys for The York Water Company