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File #: 175354

August 13, 2019

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: The York Water Company - Wastewater Division, Agreement for Assignment of
Sewage Capital Contribution and Treatment Agreement
Docket No. U-2019-3011815**

Dear Secretary Chiavetta:

Enclosed for filing are The York Water Company's responses to the Bureau of Technical Utility Services Data Request – 1, in the above-referenced proceeding.

Respectfully submitted,



Devin Ryan

DTR/kl
Enclosure

cc: Bureau of Technical Utility Services
Janelle Eckman
Certificate of Service

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

Tanya J. McCloskey, Esquire
Senior Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

John R. Evans
Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101

Richard A. Kanaskie, Esquire
Director and Chief Prosecutor
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

Date: August 13, 2019



Devin Ryan

The York Water Company
Responses to Bureau of Technical Utility Services, Water/Wastewater Division
Data Request Set 1

The York Water Company - Wastewater Division, Agreement for Assignment of Sewage Capital
Contribution and Treatment Agreement at Docket No. U-2019-3011815

DISCOVERY U-1

The August 16, 1995 Sewage Capital Contribution and Treatment Agreement (1995 Agreement) does not contain complete copies of its Exhibits A and B. Instead, the provided exhibits appear to be place holders that do not contain the information referenced in the 1995 Agreement. Please provide complete copies of Exhibit A – Points of Connection and Exhibit B – Reserve Capacity for Treatment Plant and Shared Facilities.

RESPONDENT:

Joseph T. Hand
Chief Operating Officer

RESPONSE:

According to Jacobus Borough Sewer Authority (JBSA) and Springfield Township, York County Sewer Authority (STYCSA), though referenced in the August 16, 1995 Sewage Capital Contribution and Treatment Agreement (1995 Agreement), Exhibits A and B were never prepared and therefore do not exist. Thus, York Water is unable to provide Exhibits A and B to the 1995 Agreement.

The York Water Company
Responses to Bureau of Technical Utility Services, Water/Wastewater Division
Data Request Set 1

The York Water Company - Wastewater Division, Agreement for Assignment of Sewage Capital
Contribution and Treatment Agreement at Docket No. U-2019-3011815

DISCOVERY U-2

If a complete copy of the 1995 Agreement's Exhibit A cannot be provided, please provide a reproduction of the points of connection that would have been indicated in Exhibit A.

RESPONDENT:

Joseph T. Hand
Chief Operating Officer

RESPONSE:

Please see York Water's Response to Bureau of Technical Utility Service, Water/Wastewater Division, Data Request 1, Discovery A-1 (TUS Discovery Set 1) at Docket No. A-2019-3007355, a copy of which is attached hereto as Attachment A to Discovery U-2.

As noted in the response to Discovery U-1, York Water is unable to reproduce Exhibit A as it would have existed in 1995. York Water has no knowledge of the points of connection that existed in 1995. Homes have been constructed in Springfield Township since 1995 and the sanitary sewer collection system in Springfield Township has been extended to serve these new homes.

York Water did, however, produce and submit a response to TUS Discovery Set 1, Discovery A-1, which identifies the current wastewater connections that extend beyond the Jacobus Borough municipal boundary. *See* Attachment A to Discovery U-2.

The York Water Company

Responses to Bureau of Technical Utility Services, Water/Wastewater Division

Data Request 1

Application of The York Water Company - Wastewater for approval of the acquisition of the wastewater system assets of the Jacobus Borough Sewer Authority at
Docket No. A-2019-3007355

DISCOVERY A-1

The map provided in the Application's Exhibit "D" identifies several assets that extend beyond the requested territory to interconnections with Springfield Township, York County, Sewer Authority (Springfield). Please identify any service connections between the boundaries of the requested territory and the interconnections with Springfield and state if Jacobus Borough Sewer Authority (Jacobus) currently bills those customers for wastewater service.

RESPONDENT:

Joseph T. Hand
Chief Operating Officer

RESPONSE:

Jacobus does not bill customers for wastewater service for any connections outside Jacobus Borough nor does Springfield bill customers for wastewater service for any connections outside Springfield Township. Exhibit D correctly identified several assets that extend beyond the requested territory to interconnections with Springfield Township, York County, Sewer Authority (Springfield). York Water has confirmed through a review of Jacobus's billing records and through communication with Springfield that all wastewater customers are appropriately billed by their respective municipal authority.

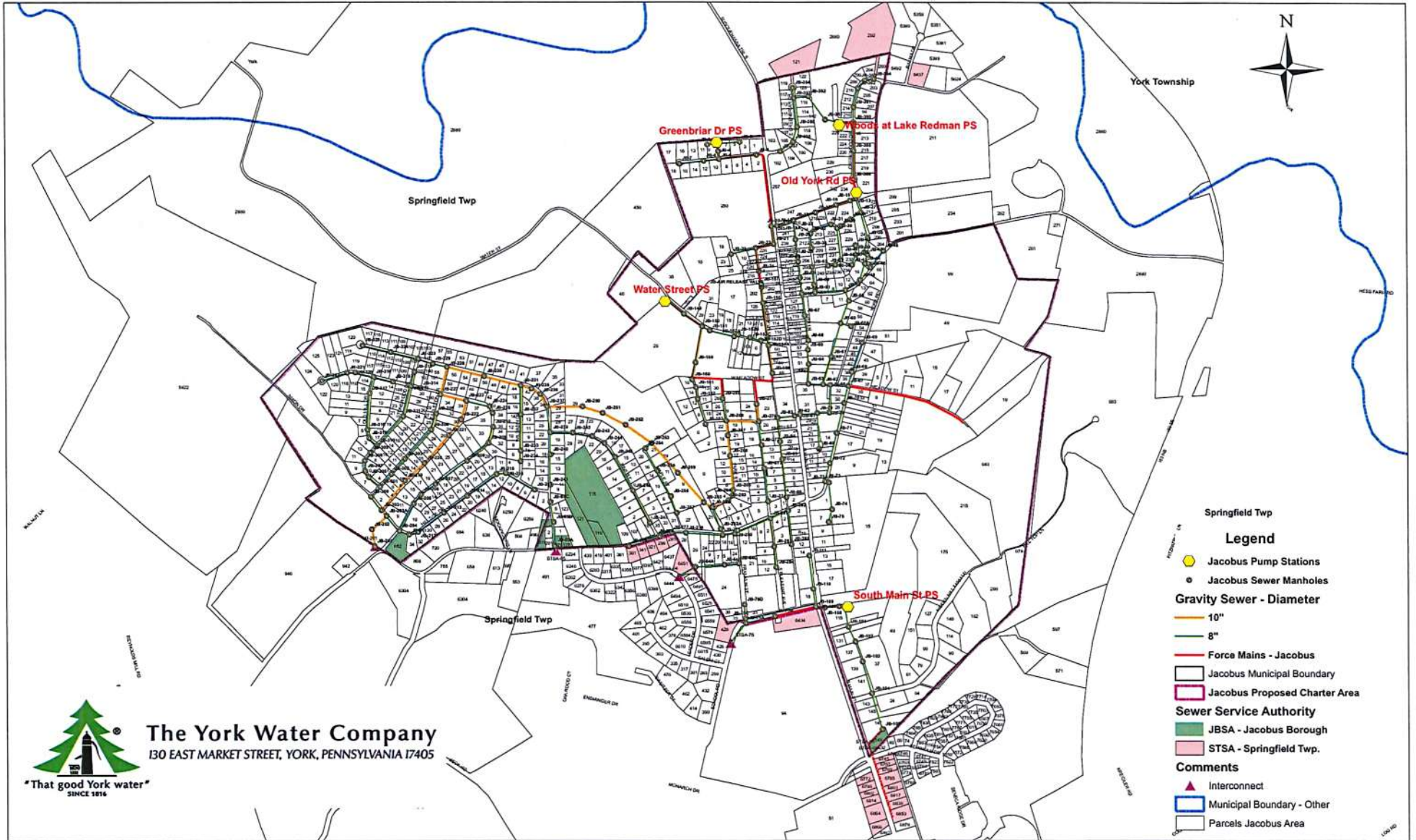
To further define the properties and service connections for those wastewater connections that extend beyond the Jacobus Borough municipal boundary, attached are enhanced maps that focus on the areas with assets that extend beyond municipal boundaries. The following maps are attached:

TUS Discovery Set 1, A-1, Overview of System
TUS Discovery Set 1, A-1, Detail 1
TUS Discovery Set 1, A-1, Detail 2
TUS Discovery Set 1, A-1, Detail 3

TUS Discovery Set 1, A-1, Overview of System is a map of the entire Jacobus Borough Sanitary Sewer Collection system with a legend describing the color-coded property and connection status. TUS Discovery Set 1, A-1, Details 1, 2 and 3 are enhanced views of the three areas of the system that show interconnected assets across municipal boundaries. Also attached is TUS Discovery Set 1, A-1, Property Summary Listing, which summarizes the connection for each property (by mailing address) and the billing party for each property.

TUS Discovery Set 1, A-1 Overview

Jacobus Borough Sanitary Sewer Collection System

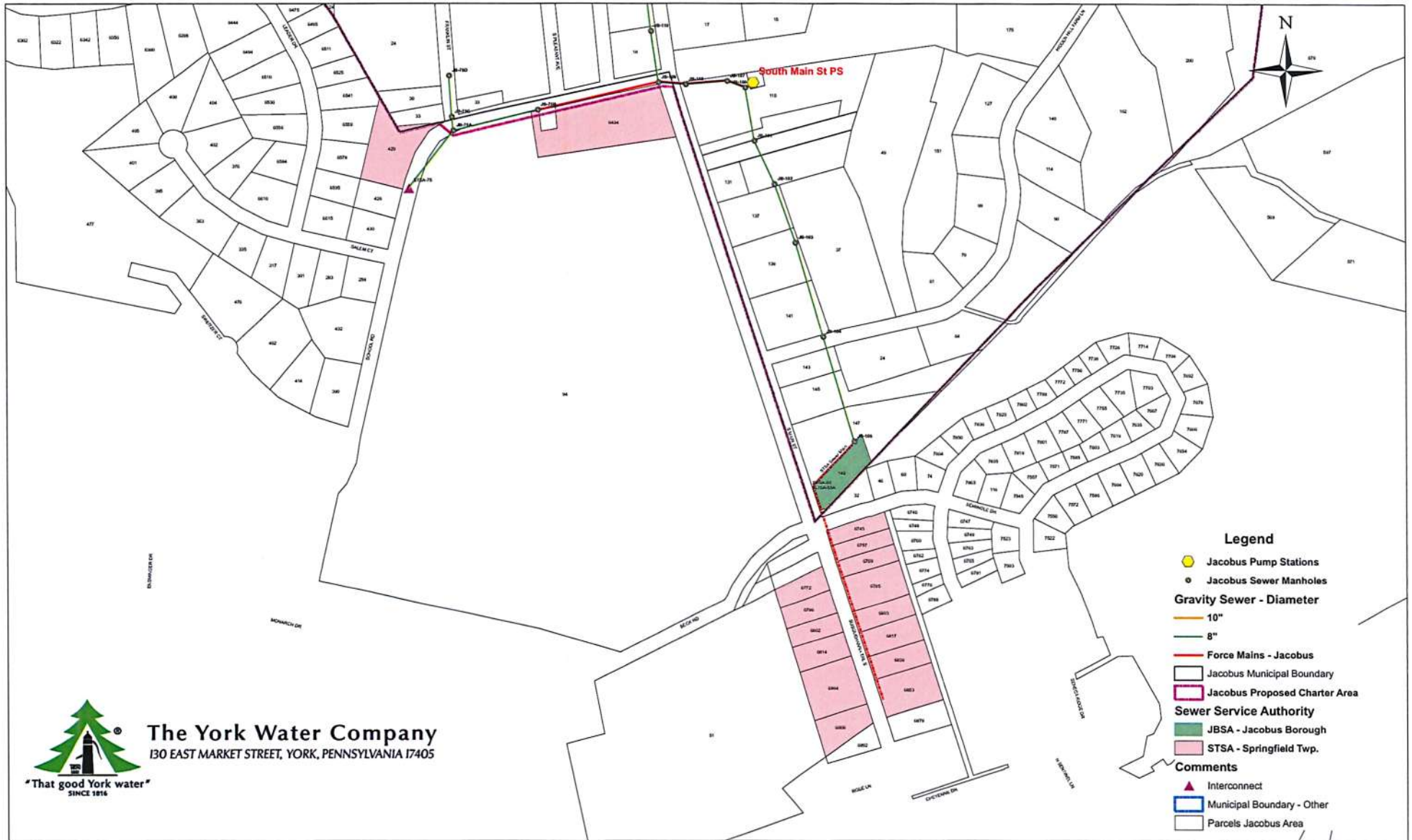


The York Water Company
130 EAST MARKET STREET, YORK, PENNSYLVANIA 17405

"That good York water"
SINCE 1816

Jacobus Borough Sanitary Sewer Collection System

TUS Discovery Set 1, A-1 Detail Area 1

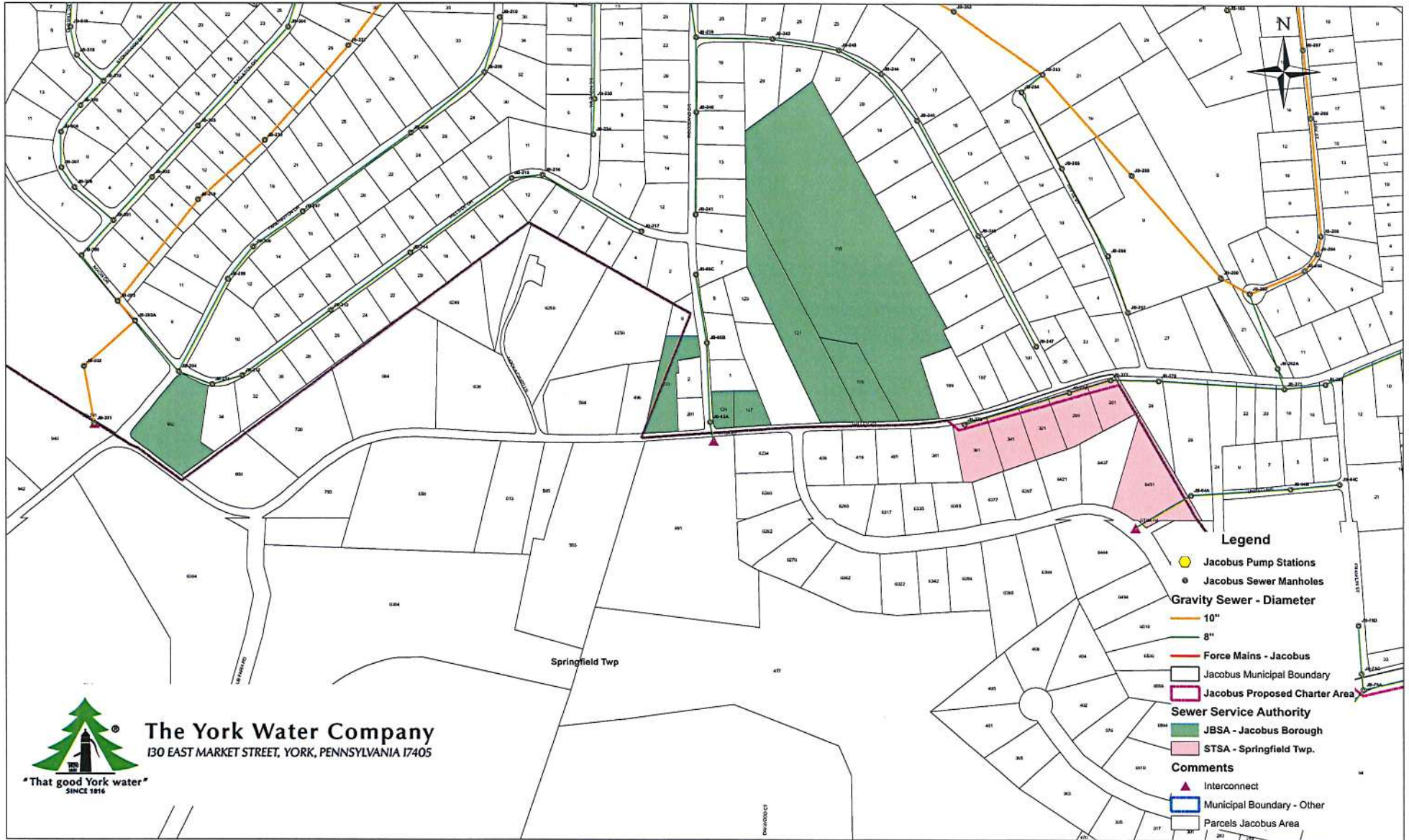


The York Water Company
130 EAST MARKET STREET, YORK, PENNSYLVANIA 17405

"That good York water"
SINCE 1816

Jacobus Borough Sanitary Sewer Collection System

TUS Discovery Set 1, A-1, Detail Area 2



Jacobus Borough Sanitary Sewer Collection System

TUS Discovery Set 1, A-1, Detail Area 3



The York Water Company
130 EAST MARKET STREET, YORK, PENNSYLVANIA 17405

"That good York water"
SINCE 1816

The York Water Company
Responses to Bureau of Technical Utility Services, Water/Wastewater Division
Data Request Set 1

The York Water Company - Wastewater Division, Agreement for Assignment of Sewage Capital
Contribution and Treatment Agreement at Docket No. U-2019-3011815

DISCOVERY U-3

If a complete copy of the 1995 Agreement's Exhibit B cannot be provided, please provide a reproduction of the values that would have been indicated in Exhibit B.

RESPONDENT:

Joseph T. Hand
Chief Operating Officer

RESPONSE:

As noted in the response to Discovery U-1, York Water is unable to reproduce Exhibit B as it would have existed in 1995. However, by using the definition of Shared Facilities contained in the 1995 Agreement, York Water can make a reasonable interpolation.

Please see York Water's Response to Bureau of Technical Utility Service, Water/Wastewater Division, Data Request 1, Discovery A-10 (TUS Discovery Set 1) at Docket No. A-2019-3007355, a copy of which is attached hereto as Attachment A to Discovery U-3. The only Shared Facilities identified in the 1995 Agreement are the STYCSA Wastewater Treatment Plant (Hollow Creek Treatment Plant) and STYCSA's pumping station in the vicinity of Nixon Drive (now commonly referred to as the Valley Road Pump Station). Although the Reserve Capacity figures are not shown in the cover page to Exhibit B, Paragraph 7(c) of the 1995 agreement does provide those figures, and they are as follows:

Reserve Capacity

Treatment Plant.	ST	1843	; JBSA 767
Shared Facilities.	ST	879	; JBSA 767

The York Water Company
 Responses to Bureau of Technical Utility Services, Water/Wastewater Division
 Data Request 1

Application of The York Water Company - Wastewater for approval of the acquisition of the wastewater system assets of the Jacobus Borough Sewer Authority at Docket No. A-2019-3007355

DISCOVERY A-10

Please list all “Shared Facilities” as defined in the Treatment Agreement and define the allocation of ownership, maintenance and cost of those assets between the applicable parties.

RESPONDENT:

Joseph T. Hand
 Chief Operating Officer

RESPONSE:

The only Shared Facilities identified in the Treatment Agreement are the Springfield Township, York County, Sewer Authority (STYCSA) Wastewater Treatment Plant (Hollow Creek Treatment Plant) and the Valley Road Pump Station (VRPS). STYCSA owns 100% of both of these two facilities. The allocation of costs for these two facilities is attached as provided to York Water by STYCSA. The allocation percentages are based on the Current and Reserved number of EDUs contributed from Jacobus to the totals served by the River View Pump Station and the Treatment Plant.

<u>Shared Facility Name</u>	<u>Jacobus Cost Allocation %</u>
WWTP Capital Expense	29.39
WWTP Operating Expense	27.96
VRPS Capital Expense	64.61
VRPS Operating Expense	64.61

While not defined in the Treatment Agreement, there are shared costs associated with operation and maintenance of three pump stations located in and owned 100% by Jacobus (South Main PS, York Road PS, Woods at Lake Redman PS) that share customers from STYCSA and Jacobus. From York Water’s review of Jacobus’s files, these costs are reconciled on an annual basis. Attached is a sample of the reconciliation process in Discovery Set 1, Exhibit A-10 Overage & South Main PS O&M Invoice and Discovery Set 1, A-10 2017 Jacobus Pump Station Cost Share Breakdown. The shared costs for O&M for these three pump stations are based on the EDU counts from the respective parties.

TUS Discovery Set 1, A-10, Cost Allocations as Provided to York Water by STSA
Springfield Township, York County, Sewer Authority, Monthly Tabulation

1/29/2019

Code		Springfield	Loganville	Seven Valleys	Jacobus	East Springfield Rd	Jacobus Payment in Arrears	
	VRPS Connected EDUs	172	0	207	692	0		1071
	VRPS Reserved EDUs	172	0	215	767	0		1154
	WTP Connected EDUs	333	568	207	692	75		2475
	WTP Reserved EDUs	960	593	215	767	75		2910
a	WWTP Capital Expense	36.78%	22.72%	8.24%	29.39%	2.87%	0.00%	100.00%
b	Hillside Heights	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
c	Loganville System	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%
d	Seven Valleys System	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	100.00%
e	Legal/Financial	25.00%	25.00%	25.00%	25.00%	0.00%	0.00%	100.00%
f	Original Financing	32.28%	43.21%	24.51%	0.00%	0.00%	0.00%	100.00%
g	Jacobus Borough	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	100.00%
h	WWTP Operating Expense	37.70%	22.95%	8.36%	27.96%	3.03%	0.00%	100.00%
i	VRPS Capital Expense	16.06%	0.00%	19.33%	64.61%	0.00%	0.00%	100.00%
j	East Springfield Road	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
k	General Authority Expense	52.33%	31.86%	11.61%	0.00%	4.21%	0.00%	100.00%
l	VRPS Operating Expense	16.06%	0.00%	19.33%	64.61%	0.00%	0.00%	100.00%
m	Jacobus Prior Years's Payment	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%

3/1/2019
6/1/2019
9/1/2019
12/1/2018

SPRINGFIELD TOWNSHIP, YORK COUNTY, SEWER AUTHORITY
PO BOX 75
SEVEN VALLEYS, PA 17360
717-428-2151 FAX 717-428-0319

May 9, 2018

Jacobus Borough Sewer Authority
Chairman
126 North Cherry Lane
Jacobus, PA 17407

Dear Authority Chairman:

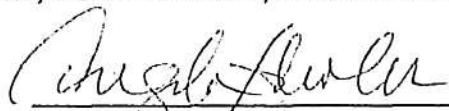
Based upon C. S. Davidson's final tabulation of revenues and expenses for 2017 (copy attached), Jacobus Borough's expenses exceeded the revenues by \$24,499.90. In accordance with the Borough's Sewage Capital Contribution and Treatment Agreement dated August 16, 1995, the balance due must be paid in three installments as follows:

\$8,166.64 Due on or Before 7/1/18	- S. MAIN	- OPERATING COSTS - \$ 4,981.45 =
\$8,166.63 Due on or Before 8/1/18		\$ 3,185.19
\$8,166.63 Due on or Before 9/1/18		

If you have any questions or comments, please contact me at the telephone number shown above.

SPRINGFIELD TOWNSHIP, YORK COUNTY, SEWER AUTHORITY

\$ 24,499.90	
- 4,981.45	- S. MAIN Credit
<u>\$ 19,518.45</u>	



 Angela Fowler
 Office Manager

Enc

CC: James R. Holley & Assoc. Inc.
David M. Davidson, Jr., C.S. Davidson, Inc.

RECEIVED MAR - 5 2018

38 North Duke Street
York, PA 17401
(717) 846-4805
FAX (717) 846-5811

RECEIVED . 016

RECEIVED MAR - 5 2018



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March 1, 2018

Angela Fowler, Office Manager
Springfield Township, York County, Sewer Authority
P.O. Box 75
Seven Valleys, PA 17360

Re: Springfield Township, York County, Sewer Authority
Jacobus Borough Accounting - 2017
Engineer's File No. 3252.6.00.16

Dear Angle,

Based on the final tabulation of 2017 revenues and expenses (attached), Jacobus Borough shows operating expenses in the amount of \$146,187.55 and revenues in the amount of \$121,687.65, leaving a shortfall of \$24,499.90. This is the amount currently due from Jacobus Borough to Springfield Township, York County, Sewer Authority.

I trust that this information is sufficient for you to reconcile the Jacobus account for the year 2017. If you have any questions, please call.

Very truly yours,

C.S. Davidson, Inc.

David M. Davidson, Jr., P.E.

DMD/cmd
Enclosures
Copy: Stan Escher (w/encl.)
File



February 28, 2018

Springfield Township
York County Sewer Authority
PO Box 75
Seven Valleys, Pa. 17360

Attention: Angela Fowler, Office Manager

Reference: Jacobus Borough Sewer Authority
Pumping Station Operating Costs

Dear Angela:

Attached please find a copy of the operating costs breakdown for the South Main Street Pumping Station, the Woods at Lake Redman Pumping Station, and the York Road Pumping Station for 2017.

The Jacobus Borough Sewer Authority would like to use the appropriate credit from this invoice against fees due to the Township this year.

Should you have any questions or concerns please feel free to contact me at your convenience.

Very Truly Yours
JAMES R HOLLEY & ASSOCIATES, INC



David Lipinski, P.E.
Project Engineer

Cc: Jacobus Borough Sewer Authority
C.S. Davidson Inc., David Davidson, P.E.

Enclosures

**JACOBUS BOROUGH SEWER AUTHORITY
PUMPING STATION OPERATING COST 2017**

COST BREAKDOWN	SOUTH MAIN STREET	WOODS AT LAKE REDMAN	YORK ROAD
1. Annual Operating Cost			
a. Power	\$684.61	\$2,018.03	\$3,351.88
b. Telephone	\$424.36	\$425.12	\$424.59
c. Labor	\$7,034.73	\$7,034.73	\$7,034.73
d. Insurance	\$145.60	\$145.60	\$145.60
e. Repair/Maintenance	\$800.00	\$600.00	\$9,056.24
TOTAL	\$9,089.30	\$10,223.48	\$20,013.04
2. Usage			
a. Township Customers	15	3	3
b. Borough Customers	18	46	261
c. Percentage Use by Township	15 ÷ 33 = 45.5%	3 ÷ 49 = 6.12%	3 ÷ 264 = 1.1%
3. Township Share of Costs			
	\$9,089.30 x 0.455	\$10,223.48 x 0.0612	\$20,013.04 x 0.011
TOTAL	\$4,135.63	\$625.68	\$220.14
4. Total Township Share = \$4,981.45			

2017 Jacobus Borough Sewer Authority
Pumping Station Operating Cost

	<u>South Main St.</u>	<u>York Road</u>	<u>Woods at Redman</u>
Electricity	\$ 684.61	\$ 3,351.88	\$ 2,018.03
Telephone	424.36	424.59	425.12
Labor	7,034.73	7,034.73	7,034.73
Insurance	145.60	145.60	145.60
Repairs/Maintenance	800.00	9,056.24	600.00
Totals	\$ 9,089.30	\$ 20,013.04	\$ 10,223.48

The York Water Company
Responses to Bureau of Technical Utility Services, Water/Wastewater Division
Data Request Set 1

The York Water Company - Wastewater Division, Agreement for Assignment of Sewage Capital Contribution and Treatment Agreement at Docket No. U-2019-3011815

DISCOVERY U-4

The York Water Company – Wastewater Division’s response to Data Request A-10 at Docket No. A-2019-3007355 indicated, while not defined in the 1995 Agreement, the Springfield Township York County Sewer Authority (STYCSA) paid certain costs associated with three Jacobus Borough Sewer Authority pump stations used by both entities (JBSA Shared Assets). Please indicate whether the 1995 Agreement and/or the July 24, 2019 Agreement for Assignment of Sewage Capital Contribution require STYCSA to continue to pay JBSA Shared Assets’ costs.

RESPONDENT:

Joseph T. Hand
Chief Operating Officer

RESPONSE:

As referenced in the response to Discovery A-10 at Docket No. A-2019-3007355 (see Attachment A to Discovery U-3), the only Shared Facilities defined in the 1995 agreement are the STYCSA Wastewater Treatment Plant (Hollow Creek Treatment Plant) and STYCSA’S pumping station in the vicinity of Nixon Drive (now commonly referred to as the Valley Road Pump Station), both of which are owned and operated by STYCSA. While there is nothing specific in either the 1995 Agreement or the July 24, 2019 Agreement for Assignment of Sewage Capital Contribution requiring STYCSA to pay JBSA Shared Assets (Pump Stations at South Main Street, Woods at Lake Redman, York Road), procedures are in place through which JBSA captures operating costs for these facilities and invoices STYCSA for its share of operating costs. (See the letter dated February 28, 2018 from James R. Holley & Associates, Inc. to STYCSA included in Attachment A to Discovery U-3). York Water will continue this practice.

VERIFICATION

I, Joseph T. Hand, being the Chief Operating Officer at The York Water Company, hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief, and that if asked orally at a hearing in this matter, my answers would be as set forth therein.

I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: August 9, 2019



Joseph T. Hand