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Devin Ryan

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File #: 176145

January 30, 2020

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 Felton Borough; and (2) begin to offer or furnish wastewater service to the public in the Borough of Felton, York County, Pennsylvania - Docket No. A-2019-3013113

Dear Secretary Chiavetta:

Enclosed for filing are The York Water Company's Responses to the Bureau of Technical Utility Services Data Requests Set 3, in the above-referenced proceeding.

Respectfully submitted,



Devin Ryan

DTR/jl
Enclosures

cc: Clinton McKinley (via email - cmckinley@pa.gov)

The York Water Company
Responses to Bureau of Technical Utility Services, Water/Wastewater Division
Data Request 3

Application of The York Water Company - Wastewater for approval of the acquisition of the
wastewater system assets of the Felton Borough at Docket No. A-2019-3013113

DISCOVERY A-33

The 1998 Act 537 Sewage Facilities Plan for the Borough of Felton approved by the Department of Environmental Protection (1998 Act 537 Plan), provided in response to Data Request A-4, clearly selected an alternative which provides public wastewater service to only a portion of Felton Borough. Please provide a copy of a map, like that provided in the Application's Exhibit E, but depicting and describing boundaries of a wastewater service territory by bearings and distances that consists no more than the greater of the following areas:

- a. Depicted area on Map 11 of the 1998 Act 537 Plan identified as the "Alternative 1 Service Area";
- b. Customers currently receiving wastewater service from Felton Borough and those who previously reserved capacity from Felton Borough; or
- c. Containing Felton Borough's existing assets related to the provision of wastewater service and subject to this transaction.

RESPONDENT:

Joseph T. Hand
Chief Operating Officer

RESPONSE:

In 1998, the Felton Borough Council selected the alternative that only serves a portion of the Borough of Felton because the elected officials of the Borough could not afford to construct a Borough-wide wastewater collection and treatment system. Although the membership of the Borough Council is different in 2019 than it was in 1998, the Felton Borough Council and the Mayor of the Borough of Felton strongly support York Water's proposal to include all of Felton Borough and not a portion thereof in the Company's wastewater service territory.

In fact, on January 2, 2020, Felton Borough filed a letter in this proceeding supporting the Company's wastewater service territory being expanded to include the entirety of the Borough. A copy of that letter is attached hereto as **Attachment 1**.

In that letter, the Borough explained that it would be in its residents' benefit for all of them to have potential access to public wastewater service and that the Borough would have expanded its facilities to those unserved areas of the Borough if it had the resources to do so. In particular, the Borough stated the following:

The most effective tool to eliminate the potential contamination of groundwater wells from onlot septage migration is connection to public treatment works. If the

The York Water Company
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Borough had access to sufficient resources, the Borough would have extended public sewer beyond the current system and, as demand rose, increased treatment capacity at the treatment plant. However, as a small borough with a small population, Felton Borough simply does not have the resources, which is why we decided to work with York Water and sell our system to a regulated public utility with the resources and technical skills to address the entire Borough's wastewater needs.

If one of our resident's existing onlot septic system fails, that resident should have a readily available option to connect to York Water's wastewater system in accordance with the provisions of York Water's wastewater tariff. However, if York Water's service territory expansion is limited to only a portion of Felton Borough, any Borough resident located outside that territory whose onlot septic system fails would have no alternative unless and until the Commission approves another expansion of York Water's wastewater service territory. Given the benefits of public sewer, especially with the Borough's topography and soil characteristics, Felton Borough strongly believes that it is in the best interest of all of its residents that they have the potential option of public sewer. For these reasons, Felton Borough supports expanding York Water's wastewater territory to include all of the Borough.

At [the] December 9, 2019 Borough Council meeting, there was a motion, second, and unanimous vote in support of issuing this letter and providing our support of York Water Company's Application to allow it to acquire the Felton Borough Wastewater System and become certificated throughout the entire Borough. In addition to full Council support, the Mayor was also in favor.

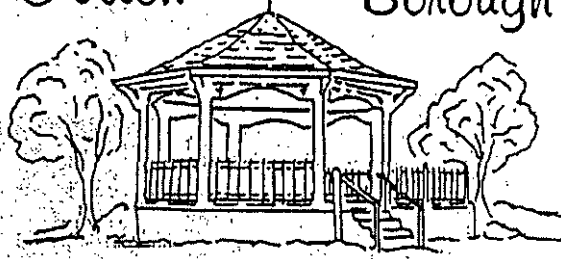
For these reasons, and as further explained in the Company's Application and prior responses to data requests, York Water continues to maintain that its proposed wastewater service territory expansion should include the entirety of the Borough of Felton and not only a portion thereof.

Nevertheless, as requested in this data request, attached hereto as **Attachment 2** is a map depicting the service territory identified in Map 11 of the 1998 Act 537 Plan as "Alternative 1 Service Area" along with the metes and bounds description of the service territory is attached. The parcels included within the boundaries are those parcels that are intersected by the 1998 Acts 537 Plan "Alternative 1 Service Area" polygon.

Felton Borough

88 Main Street
Felton, PA 17322

Phone: 717-246-6493
feltonboroughoffice@gmail.com



Felton, Pa 17322

December 17, 2019

Secretary, Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

RECEIVED
2020 JAN -2 AM 10:25
PA PUC
SECRETARY'S BUREAU

RE: Application of The York Water Company - Wastewater for approval of the acquisition of the wastewater system assets owned by Felton Borough at Docket No. A-2019-3013113

Dear Secretary Chiavetta,

Felton Borough is aware of The York Water Company's recent filing at Docket No. A-2019-3013113 for approval of York Water's acquisition of the Borough's wastewater system assets. The Borough supports the Pennsylvania Public Utility Commission certifying York Water's wastewater service territory expansion to include the entire Borough of Felton.

Over twenty years ago, the residents and elected officials of Felton Borough identified a concern in our small, rural community. With small lot sizes and no public water supply, residents' groundwater wells were in jeopardy of contamination from adjacent and up-gradient onlot septic systems. As described in the 1998 Act 537 Plan, the topography and soil characteristics within Felton Borough allow onlot, uncontained septage to migrate. In 1998, there were only seven of the 167 developed parcels with holding tanks, while the remaining parcels were served with onlot drainfields and rudimentary mounds. In spite of constructing a multimillion dollar treatment plant and collection system, the conditions did not change for those who were not connected to the public treatment works, and the risk of

contamination persisted. In 2007, the Borough conducted a special study to establish an onlot sewage management program to further mitigate the risk of contamination, though that has not changed the physical conditions in the Borough. As has occurred in the past, Borough Council expects that residents will encounter onlot sewage problems and will seek access to a public wastewater system.

The most effective tool to eliminate the potential contamination of groundwater wells from onlot septage migration is connection to public treatment works. If the Borough had access to sufficient resources, the Borough would have extended public sewer beyond the current system and, as demand rose, increased treatment capacity at the treatment plant. However, as a small borough with a small population, Felton Borough simply does not have those resources, which is why we decided to work with York Water and sell our system to a regulated public utility with the resources and technical skills to address the entire Borough's wastewater needs.

If one of our resident's existing onlot septic system fails, that resident should have a readily available option to connect to York Water's wastewater system in accordance with the provisions of York Water's wastewater tariff. However, if York Water's service territory expansion is limited to only a portion of Felton Borough, any Borough resident located outside that territory whose onlot septic system fails would have no alternative unless and until the Commission approves another expansion of York Water's wastewater service territory. Given the benefits of public sewer, especially with the Borough's topography and soil characteristics, Felton Borough strongly believes that it is in the best interest of all of its residents that they have the potential option of public sewer. For these reasons, Felton Borough supports expanding York Water's wastewater territory to include all of the Borough.

At December 9, 2019 Borough Council meeting, there was a motion, second, and unanimous vote in support of issuing this letter and providing our support of York Water Company's Application to allow it to acquire the

Felton Borough Wastewater System and become certificated throughout the entire Borough. In addition to full Council support, the Mayor was also in favor. If there is further information that you need from Felton Borough or if we can do anything else to support the Application of the York Water Company, please let us know. Thank you.

Sincerely,
Felton Borough

By: Joy Finchbaugh, Secretary

Cc: The York Water Company
CGA Law Firm, Solicitor

Felton Borough
88 Main Street
Felton, PA 17322

Attachment 1 to Discovery A-33 (Felton Wastewater)

HARRISBURG PA 171
30 DEC 2019 PM 7 1



1A

Secretary, Pennsylvania Public Utility
Commission
400 North Street, 2nd Floor

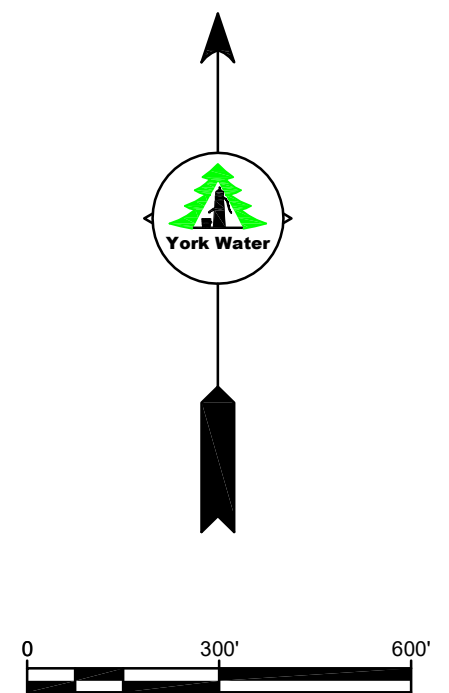
Harrisburg PA 17120

SERVICE AREA LINE TABLE			SERVICE AREA LINE TABLE		
LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH
L1	N14°2'2"E	1,363.17'	L58	S29°40'44"E	344.00'
L2	N50°23'41"W	429.91'	L59	S35°54'0"W	203.87'
L3	N0°46'52"W	325.54'	L60	N54°22'50"W	29.25'
L4	N82°26'18"E	228.20'	L61	N57°34'19"W	294.81'
L5	N78°14'48"E	365.91'	L62	S39°33'50"W	124.72'
L6	N19°37'8"W	150.01'	L63	S23°12'50"W	583.62'
L7	N72°30'28"E	480.86'	L64	S34°33'35"E	226.52'
L8	N64°3'28"E	203.72'	L65	S52°27'47"W	52.35'
L9	S31°21'5"E	565.20'	L66	S36°37'6"E	170.35'
L10	N60°46'40"E	595.44'	L67	S44°21'24"E	103.34'
L11	S25°11'46"E	49.55'	L68	S30°23'2"E	44.48'
L12	S13°9'41"E	130.72'	L69	S19°42'38"E	172.16'
L13	N77°20'47"E	134.44'	L70	S32°13'35"E	147.09'
L14	N14°58'10"W	277.89'	L71	S32°13'35"E	33.76'
L15	N44°2'34"E	367.71'	L72	S46°48'59"W	1,159.51'
L16	N22°50'35"W	1,779.89'	L73	S64°13'22"E	630.47'
L17	N48°2'43"E	800.98'	L74	N39°51'4"E	162.93'
L18	S47°36'10"E	58.23'	L75	S48°59'14"E	651.76'
L19	S23°38'57"E	606.30'	L76	S27°38'19"W	475.49'
L20	S21°10'29"E	122.34'	L77	S17°2'36"W	73.45'
L21	S38°56'24"E	24.60'	L78	N69°13'55"W	240.62'
L22	S14°55'14"E	47.03'	L79	S13°34'18"W	9.94'
L23	S35°26'58"E	49.00'	L80	N90°0'0"W	330.62'
L24	S41°48'22"E	73.13'	L81	N71°36'20"W	275.75'
L25	S22°25'30"E	72.04'	L82	N52°18'48"W	154.65'
L26	S15°7'52"E	96.41'	L83	S22°47'22"W	261.55'
L27	S28°33'10"E	120.30'	L84	S28°43'45"W	219.55'
L28	S36°11'33"E	47.71'	L85	S5°49'4"W	43.16'
L29	S48°12'40"E	95.31'	L86	S27°42'40"W	32.54'
L30	S66°46'0"E	47.25'	L87	N38°43'56"W	274.25'
L31	S55°36'29"E	71.48'	L88	N66°38'1"W	127.34'
L32	S45°27'14"E	47.58'	L89	N69°6'39"W	403.54'
L33	S38°49'47"E	47.71'	L90	N9°45'36"E	433.25'
L34	S34°49'23"E	23.80'	L91	N79°51'2"W	672.60'
L35	S24°54'30"E	47.95'	L92	N42°32'6"W	315.60'
L36	S19°47'37"E	71.82'	L93	S87°10'39"W	299.31'
L37	S12°53'20"E	48.13'	L94	N75°16'4"E	50.00'
L38	S0°0'0"E	50.00'	L95	N87°10'39"E	298.88'
L39	S14°25'7"W	94.22'	L96	N11°58'50"E	359.03'
L40	S20°41'45"W	146.51'	L97	N75°28'51"W	294.18'
L41	S74°0'23"E	294.69'	L98	N83°17'37"W	63.58'
L42	S28°5'38"W	116.70'	L99	N11°37'44"E	166.89'
L43	S85°17'53"W	306.15'	L100	N78°57'46"W	172.77'
L44	S28°31'24"W	425.22'	L101	N13°41'29"E	41.92'
L45	S21°27'19"W	217.04'	L102	N16°14'37"E	96.55'
L46	S15°6'52"W	108.09'	L103	N69°11'10"W	258.19'
L47	S78°40'19"E	181.12'	L104	N65°56'8"W	82.17'
L48	S72°8'56"W	358.91'	L105	N72°16'45"W	241.57'
L49	S14°19'53"W	207.43'	L106	S6°36'49"W	180.27'
L50	S10°1'31"E	210.91'	L107	N87°41'21"W	181.09'
L51	S24°7'3"E	120.85'	L108	N15°41'47"W	283.57'
L52	N88°14'34"E	134.63'	L109	S78°47'59"W	187.03'
L53	N0°0'0"W	121.21'	L110	S83°14'58"W	74.87'
L54	N57°45'30"W	234.85'	L111	N15°38'31"W	304.20'
L55	N51°34'38"W	43.44'	L112	N85°11'58"E	334.82'
L56	N50°16'53"E	1,637.67'	L113	N24°28'12"E	22.96'
L57	S33°30'3"E	691.48'	L114	N65°31'48"W	378.81'



SERVICE AREA CURVE TABLE

CURVE #	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	3,925.00'	424.26'	N16°31'20"W	424.05'
C2	300.00'	248.85'	S46°35'25"E	241.78'
C3	320.00'	137.93'	S22°46'58"E	136.87'
C4	350.00'	117.85'	N61°57'34"W	117.29'
C5	85.00'	115.85'	N53°46'39"W	107.09'
C6	35.00'	47.70'	S53°46'39"E	44.10'
C7	200.00'	187.65'	S51°55'13"W	180.85'



NOTE: BOUNDARY INFORMATION SHOWN IS APPROXIMATE. THEREFORE, THIS DRAWING SHOULD NOT BE CONSIDERED A SURVEY.

The York Water Company
 130 EAST MARKET STREET, YORK, PA 17401 (717) 845-5601

Title: FELTON BOROUGH: 1998 ACT 537 MAP 11 ALTERNATIVE 1 SERVICE AREA FOR TUS DISCOVERY A-33

YORK COUNTY PENNSYLVANIA

Scale: 1"=300' Drawn By: JAR Drawing No. _____
 Date: 01/22/2020 Checked By: JML/JTH 1 OF 1

Attachment 2 to Discovery A-33 (Felton Wastewater)

Felton Borough, Pennsylvania

NOTE: THE METES AND BOUNDS DESCRIBED HEREIN ARE APPROXIMATE. THEREFORE, THIS DOCUMENT SHOULD NOT BE CONSIDERED A LEGAL DEED.

ENCOMPASSING approximately 314.33 acres of land located in York County, Pennsylvania, the Felton Borough 1998 Act 537 Map 11 Alternative 1 Service Area for TUS Discovery A-33 is described by metes and bounds as follows:

From National Geodetic Survey Marker designated as *WINTERSTOWN 2 RM 1 AZIMUTH*, said Monument being located at NAD 83 (1992) Position: 39°49'55.11355" (N), 76°35'50.74018" (W). The reference mark is a standard disk stamped: WINTERSTOWN 2 NO 1 1934, set in the top of a 12-inch square concrete monument which projects about 1-inch, proceeding North 39°26'49" East, 11,320.65 feet to Point A, and thence along the following segments:

1. N14°2'2"E, 1,363.17'
2. N50°23'41"W, 429.91'
3. N0°46'52"W, 325.54'
4. N82°26'18"E, 228.20'
5. N78°14'48"E, 365.91'

Thence on a curve to the left (C1) having a radius of 3,925.00', an arc length of 424.26', and a chord bearing of N16°31'20"W, 424.05' to a point of tangent;

6. N19°37'8"W, 150.01'
7. N72°30'28"E, 480.86'
8. N64°3'28"E, 203.72'
9. S31°21'5"E, 565.20'
10. N60°46'40"E, 595.44'
11. S25°11'46"E, 49.55'
12. S13°9'41"E, 130.72'
13. N77°20'47"E, 134.44'
14. N14°58'10"W, 277.89'
15. N44°2'34"E, 367.71'
16. N22°50'35"W, 1,779.89'
17. N48°2'43"E, 800.98'
18. S47°36'10"E, 58.23'
19. S23°38'57"E, 606.30'
20. S21°10'29"E, 122.34'
21. S38°56'24"E, 24.60'
22. S14°55'14"E, 47.03'
23. S35°26'58"E, 49.00'
24. S41°48'22"E, 73.13'
25. S22°25'30"E, 72.04'
26. S15°7'52"E, 96.41'
27. S28°33'10"E, 120.30'

Attachment 2 to Discovery A-33 (Felton Wastewater)

Felton Borough, Pennsylvania

28. S36°11'33"E, 47.71'
29. S48°12'40"E, 95.31'
30. S66°46'0"E, 47.25'
31. S55°36'29"E, 71.48'
32. S45°27'14"E, 47.58'
33. S38°49'47"E, 47.71'
34. S34°49'23"E, 23.80'
35. S24°54'30"E, 47.95'
36. S19°47'37"E, 71.82'
37. S12°53'20"E, 48.13'
38. S0°0'0"E, 50.00'
39. S14°25'7"W, 94.22'
40. S20°41'45"W, 146.51'
41. S74°0'23"E, 294.69'
42. S28°5'38"W, 116.70'
43. S85°17'53"W, 306.15'
44. S26°31'24"W, 425.22'
45. S21°27'19"W, 217.04'
46. S15°6'52"W, 109.09'
47. S78°40'19"E, 181.12'
48. S7°28'56"W, 358.91'
49. S14°19'53"W, 207.43'
50. S10°1'31"E, 210.91'
51. S24°7'3"E, 120.85'

Thence on a curve to the right (C2) having a radius of 300.00', an arc length of 248.85', and a chord bearing of S46°35'25"E, 241.78' to a point of curve;

Thence on a curve to the right (C3) having a radius of 320.00', an arc length of 137.93', and a chord bearing of S22°46'58"E, 136.87' to a point of tangent;

52. N88°14'34"E, 134.63'
53. N0°0'0"W, 121.21'
54. N57°45'30"W, 234.85'
55. N51°34'38"W, 43.44'
56. N50°16'53"E, 1,637.67'
57. S33°30'3"E, 691.48'
58. S29°40'44"E, 344.00'
59. S35°54'0"W, 203.87'
60. N54°22'50"W, 29.25'
61. N57°34'19"W, 294.81'
62. S39°33'50"W, 124.72'
63. S23°12'50"W, 583.62'
64. S34°33'35"E, 226.52'

Attachment 2 to Discovery A-33 (Felton Wastewater)

Felton Borough, Pennsylvania

65. S52°27'47"W, 52.35'
66. S36°37'6"E, 170.35'
67. S44°21'24"E, 103.34'
68. S30°23'2"E, 44.48'
69. S19°42'38"E, 172.16'
70. S32°13'35"E, 147.09'
71. S32°13'35"E, 33.76'
72. S46°48'59"W, 1,159.51'
73. S64°13'22"E, 630.47'
74. N39°51'4"E, 162.93'
75. S48°59'14"E, 651.76'
76. S27°38'19"W, 475.49'
77. S17°2'36"W, 73.45'
78. N69°13'55"W, 240.62'
79. S13°34'18"W, 9.94'
80. N90°0'0"W, 330.62'
81. N71°36'20"W, 275.75'

Thence on a curve to the right (C4) having a radius of 350.00', an arc length of 117.85', and a chord bearing of N61°57'34"W, 117.29' to a point of tangent;

82. N52°18'48"W, 154.65'
83. S22°47'22"W, 261.55'
84. S28°43'45"W, 219.55'
85. S5°49'4"W, 43.16'
86. S27°42'40"W, 32.54'
87. N38°43'56"W, 274.25'
88. N66°38'1"W, 127.34'
89. N69°6'39"W, 403.54'
90. N9°45'36"E, 433.25'
91. N79°51'2"W, 672.60'
92. N4°23'26"W, 315.60'
93. S87°10'39"W, 299.31'

Thence on a curve to the right (C5) having a radius of 85.00', an arc length of 115.85', and a chord bearing of N53°46'39"W, 107.09' to a point of tangent;

94. N75°16'4"E, 50.00'

Thence on a curve to the left (C6) having a radius of 35.00', an arc length of 47.70', and a chord bearing of S53°46'39"E, 44.10' to a point of tangent;

95. N87°10'39"E, 298.88'
96. N11°58'50"E, 359.03'

Attachment 2 to Discovery A-33 (Felton Wastewater)

Felton Borough, Pennsylvania

97. N75°28'51"W, 294.18'
98. N83°17'37"W, 63.58'
99. N11°37'44"E, 166.89'
100. N78°57'46"W, 172.77'
101. N13°41'29"E, 41.92'
102. N16°14'37"E, 96.55'
103. N69°11'10"W, 258.19'
104. N65°56'8"W, 82.17'
105. N72°16'45"W, 241.57'
106. S6°36'49"W, 180.27'
107. N87°41'21"W, 181.09'
108. N15°41'47"W, 283.57'
109. S78°47'59"W, 187.03'

Thence on a curve to the left (C7) having a radius of 200.00', an arc length of 187.65', and a chord bearing of S51°55'13"W, 180.85' to a point of tangent;

110. S83°14'58"W, 74.87'
111. N15°38'31"W, 304.20'
112. N85°11'58"E, 334.82'
113. N24°28'12"E, 22.96'
114. N65°31'48"W, 378.81'

to Point A, the point and place of beginning.

The York Water Company
Responses to Bureau of Technical Utility Services, Water/Wastewater Division
Data Request 3

Application of The York Water Company - Wastewater for approval of the acquisition of the
wastewater system assets of the Felton Borough at Docket No. A-2019-3013113

DISCOVERY A-34

Please quantify the area of the wastewater territory depicted and described in the response to
Data Request No. 33 in acres.

RESPONDENT:

Joseph T. Hand
Chief Operating Officer

RESPONSE:

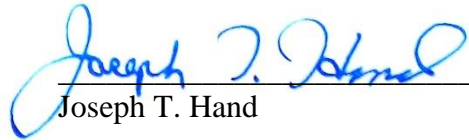
The area of the wastewater territory depicted in the map provided in Attachment 2 to Discovery
A-33 is 314.33 acres.

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: January 30, 2020



Joseph T. Hand