
EXHIBIT F158

AMENDMENT TO SERVICE AGREEMENT,
DATED DECEMBER 11, 2019, BY AND AMONG
CENTRAL DELAWARE COUNTY AUTHORITY AND DELCORA

AMENDMENT TO SERVICE AGREEMENT

DATED DECEMBER 11, 2019

THIS AMENDMENT TO SERVICE AGREEMENT is made as of the 11th day of December, 2019 between Central Delaware County Authority (“CDCA”), a Pennsylvania Municipal Authority, and Delaware County Regional Water Quality Control Authority (“DELCORA”), a Pennsylvania Municipal Authority.

RECITALS:

WHEREAS, CDCA and the DELCORA entered into that certain Service Agreement dated December 1, 1973, which was then amended on April 21, 1981 and March 9, 1999 (collectively “Service Agreement”);

WHEREAS, DELCORA has entered into an Asset Purchase Agreement dated September 17, 2019 with Aqua Pennsylvania Wastewater, Inc. (“Aqua”) and is in the process of selling its assets to Aqua which includes an assignment of the Service Agreement to Aqua;

WHEREAS, DELCORA and CDCA desire to amend certain provisions of the Service Agreement to become effective upon Closing of the sale of the DELCORA assets to Aqua and agree to hereby do so;

WHEREAS, the parties hereto desire to reaffirm all other provisions of the Service Agreement not specifically amended hereby.

NOW, THEREFORE, with the foregoing recitals made a part hereof and incorporated herein, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Paragraph 3.01 through and including Paragraph 3.12 shall be deleted in their entirety and replaced with the following language:

“3.01 Rates and Payments. Aqua shall charge CDCA the rates set forth in Aqua’s tariff, as amended from time to time, as approved by the Pennsylvania Public Utility Commission (“PUC”). Payments shall be made in accordance with Aqua’s tariff, as amended from time to time, as approved by the PUC. This Section 3.01 shall become effective upon the closing of the transaction between Aqua and DELCORA as defined in the September 17, 2019 Asset Purchase Agreement.”

“3.02 Billing. Aqua shall bill CDCA in each calendar year in four (4) installments to be paid on or before March 31, June 30, September 30, and December 31 of such year, unless otherwise ordered by the Pennsylvania Public Utility Commission.”

2. Paragraph 9.13 is hereby deleted in its entirety and replaced with the following:

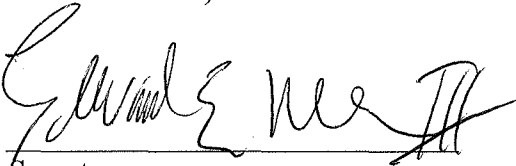
“9.13 Successors and Assigns. This Agreement may not be voluntarily assigned without the consent of the other, except that: (1) DELCORA’s rights to receive payments hereunder may be assigned and pledged to an indenture trustee to secure its bonds; and (2) this Agreement shall be assigned to Aqua Pennsylvania Wastewater, Inc. (“Aqua”) effective as of the closing of the transaction contemplated by that certain Asset Purchase Agreement between DELCORA and Aqua dated September 17, 2019, pursuant to which Aqua shall be obligated to assume all obligations of DELCORA under, and be bound by all terms and provisions of, the Service Agreement as amended herein. Subject to the foregoing, this Agreement shall be binding upon, and inure to the benefit of the respective successors and assigns of the parties hereto.

3. Article VII “Governmental Grants and Subsidies: Permits” is hereby deleted in its entirety effective upon the closing of the transaction between Aqua and DELCORA as defined in the September 17, 2019 Asset Purchase Agreement.
4. All other provisions, terms, and conditions of the Service Agreement not specifically amended hereby shall remain in full force and effect. CDCA and DELCORA hereby reaffirm the Service Agreement as amended hereby.

[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, intending to be legally bound, the parties hereto have duly executed this Amendment on the date first written above.

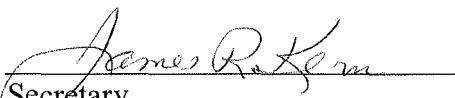
(CORPORATE SEAL)

Attest: 
Secretary

DELAWARE COUNTY REGIONAL
WATER QUALITY CONTROL
AUTHORITY

By: 
Chairman

(CORPORATE SEAL)

Attest: 
Secretary

CENTRAL DELAWARE COUNTY
AUTHORITY

By:  11/27/19
Chairman