



Elizabeth Rose Triscari

Director, Corporate Counsel

Pennsylvania-American Water Company

852 Wesley Drive, Mechanicsburg, PA 17055

P: 717.550.1574 F: 717.531.3399 C: 717.585.1934

elizabeth.triscari@amwater.com

December 9, 2020

VIA ELECTRONIC FILING

Ms. Rosemary Chiavetta, Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

In Re: Application of Pennsylvania-American Water Company under Section 1102(a) of the Pennsylvania Public Utility Code, 66 Pa C.S. § 1102(a), for approval of (1) the transfer, by sale, of substantially all of Upper Pottsgrove Township's assets, properties and rights related to its wastewater collection and conveyance system to Pennsylvania-American Water Company, and (2) the rights of Pennsylvania-American Water Company to begin to offer or furnish wastewater service to the public in Upper Pottsgrove Township, Montgomery County and a portion of Douglass Township, Berks County, Pennsylvania - Docket No. A-2020-3021460, *et al*

Application – Amended Appendix A-22-e

Dear Secretary Chiavetta:

Attached please find **Amended Appendix A-22-e** to the Application of Pennsylvania-American Water Company – Wastewater Division for approval to acquire the Upper Pottsgrove Township wastewater collection and conveyance system filed with the Public Utility Commission on November 24, 2020 at the above-referenced docket. This Appendix is being amended to include a letter from Montgomery County confirming that the acquisition is consistent with its comprehensive plan.

Rosemary Chiavetta, Secretary
December 9, 2020
Page 2

Copies are being served upon the advocates in accordance with the attached Certificate of Service and in accordance with the Commission's *Final Supplemental Implementation Order* entered February 28, 2019 at Docket No. M-2016-2543193.

If you should have any questions, please feel free to contact us.

Sincerely,



Elizabeth Rose Triscari

cc: Attached Certificate of Service (*via electronic mail*)
Sean Donnelly, Bureau of Technical Utility Service (*via electronic mail*)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Application of Pennsylvania-American Water Company :
under Section 1102(a) of the Pennsylvania Public Utility Code, 66 :
Pa C.S. § 1102(a), for approval of (1) the transfer, by sale, of :
substantially all of Upper Pottsgrove’s assets, properties and :
rights related to its wastewater collection and conveyance system : Docket No. A-2020-3021460
to Pennsylvania-American Water Company, and (2) the rights of :
Pennsylvania-American Water Company to begin to offer or :
furnish wastewater service to the public in Upper Pottsgrove :
Township, Montgomery County and a portion of Douglass :
Township, Berks County. :

In re: Application of Pennsylvania-American Water Company :
under Section 1329 of the Pennsylvania Public Utility Code, 66 :
Pa. C.S. § 1329, for approval of the use for ratemaking purposes : Docket No. A-2020-_____
of the lesser of the fair market value or the negotiated purchase :
price of Upper Pottsgrove Township’s assets related to its :
wastewater collection system. :

Petition of Pennsylvania-American Water Company, related to its :
acquisition of the Upper Pottsgrove Township wastewater :
collection system, for approval under Section 1329 of the :
Pennsylvania Public Utility Code, 66 Pa. C.S. § 1329, to (i) collect :
a distribution system improvement charge, (ii) for book and : Docket No. P-2020-_____
ratemaking purposes, accrue Allowance for Funds Used During :
Construction for post-acquisition improvements not recovered :
through the distribution system improvement charge, (iii) for book :
and ratemaking purposes, defer depreciation related to post- :
acquisition improvements not recovered through the distribution :
system improvement charge, and (iv) include, in its next base rate :
case, a claim for transaction and closing costs. :

In re: Filing by Pennsylvania-American Water Company under :
Section 507 of the Pennsylvania Public Utility Code, 66 Pa. C.S. : Docket No U-2020-_____
§ 507, of (a) the Asset Purchase Agreement Between :
Pennsylvania-American Water Company and Upper Pottsgrove :
Township; (b) the Sewage Treatment Agreement between Upper :
Pottsgrove Township, Borough of Pottsgrove and Pottstown :
Borough Authority and (c) Joint Sewage Transportation :
Agreement between Upper Pottsgrove Township and Lower :
Pottsgrove Township :

CERTIFICATE OF SERVICE

I hereby certify that I have this 9th day of December served a true copy of the foregoing filing upon the parties, listed below in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

VIA ELECTRONIC MAIL

Erin Fure, Esquire
Office of Small Business Advocate
555 Walnut Street
Forum Place, First Floor
Harrisburg, PA 17101-1923

Christine Hoover, Senior Consumer Advocate
Erin L. Gannon, Esquire
Harrison W. Breitman, Esquire
Santo G. Spataro, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, Fifth Floor
Harrisburg, PA 17101-1923

Ericka L. McClain, Prosecutor
John M. Coogan, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
400 North Street, F West
Harrisburg, PA 17120

Respectfully submitted,



Elizabeth Rose Triscari, Esquire (PA ID 306921)
Pennsylvania-American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055
(717) 550-1574
elizabeth.triscari@amwater.com

David P. Zambito, Esquire (PA ID 80017)
Jonathan P. Nase, Esquire (PA ID 44003)

Cozen O'Connor
17 North Second Street, Suite 1410
Harrisburg, PA 17101
(717) 703-5892
dzambito@cozen.com
jnase@cozen.com

Attorneys for
Pennsylvania-American Water Company

**Application of Pennsylvania-American Water Company for Acquisition of
the Wastewater Assets of Upper Pottsgrove Township
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2020-3021460**

22. Other requirements. Demonstrate compliance with the following:
- e. Provide evidence the filing is consistent with the affected municipality and county comprehensive plans if the filing proposes to expand service beyond the existing plant footprint.

AMENDED RESPONSE:

- e. See enclosed **Amended Appendix A-22-e** for requests for evidence that PAWC’s filing is consistent with the municipalities’ and county’s comprehensive plans and zoning for Upper Pottsgrove Township, Pottstown Borough, Montgomery County, Douglass Township, and Berks County Planning Commissions. It must be noted that Upper Pottsgrove and Pottstown Borough are incorporated into the Pottstown Metropolitan Regional Comprehensive Plan and that Upper Pottsgrove Township no longer has a local Planning Commission. The Upper Pottsgrove Township Planning Commission was abolished by Ordinance No. 507 enacted by the Board of Commissioners on February 3, 2020. Please see attached the letter from Montgomery County confirming that PAWC is in compliance with their Comprehensive Plan. Responses from Pottstown Borough, Douglass Township, and Berks County will be provided upon receipt. Additionally, the current comprehensive plans can be located at the following website links:

Pottstown Metropolitan Regional:

https://pottstownmetroregiondotcom.files.wordpress.com/2015/12/pmrpc_compplan_final_web.pdf

Montgomery County:

https://www.montcopa.org/DocumentCenter/View/7719/Adopted-Montco-2040-Shared-Vision_01_16_2015?bidId=

Douglass Township, Berks County:

<https://www.co.berks.pa.us/Muni/Douglass/Documents/ComprehensivePlanUpdateof2009and2013.pdf>

Berks County:

<https://www.co.berks.pa.us/Dept/Planning/Pages/BerksCountyComprehensivePlan.aspx>



852 Wesley Drive
Mechanicusburg, PA 17055
717-550-1509 Office
717-875-2282 Cell

Scott.Fogelsanger@amwater.com

www.amwater.com

November 17, 2020

Thomas Hylton, Chairman
Pottstown Borough Planning Commission
Pottstown Borough Hall
100 East High Street
Pottstown, PA 19464

Re: Pennsylvania -American Water Company application to acquire the Upper Pottsgrove Township Wastewater System, Montgomery County, Pennsylvania.

Dear Chairman Hylton,

Pennsylvania American Water Company (Pennsylvania American Water) will soon be submitting an application under Section 1329 of the Pennsylvania Public Utility Commission (PUC) Code, 66 Pa. C. S. §1329 for the acquisition of Upper Pottsgrove Township's sewer system.

Prior to filing the application, and pursuant to our application filing requirements, we are to request evidence that the filing is consistent with your counties' comprehensive plan, specifically our certificated service territory aligns with your Comprehensive Plan and Zoning. I have attached a map identifying the certificated service territory (bold line) for the existing water area for your reference.

Specifically, the PUC requests the County provide a response (yes/no) to the following questions:

1. Are there adopted municipal comprehensive plans for the townships/boroughs involved? ____
2. Is there an adopted county comprehensive plan? ____
3. Is there an adopted multi-municipal or multi-county comprehensive plan? ____
4. Is there an adopted county or municipal zoning ordinance or joint municipal zoning ordinance? ____
5. Is the proposed project consistent with these comprehensive plans and/or zoning ordinances? ____
6. If the answer is "yes" to any of the above questions, please sign below, or submit a letter, indicating that the application is consistent with the applicable comprehensive plans and zoning ordinances. If not, please provide an explanation.


Amended Appendix A-22-e

Would you please review, complete, sign below and return to my attention?

Please feel free to contact me at 717-550-1509 or email at Scott.Fogelsanger@amwater.com if you have additional questions.

If possible, kindly return as soon as possible.

Sincerely,

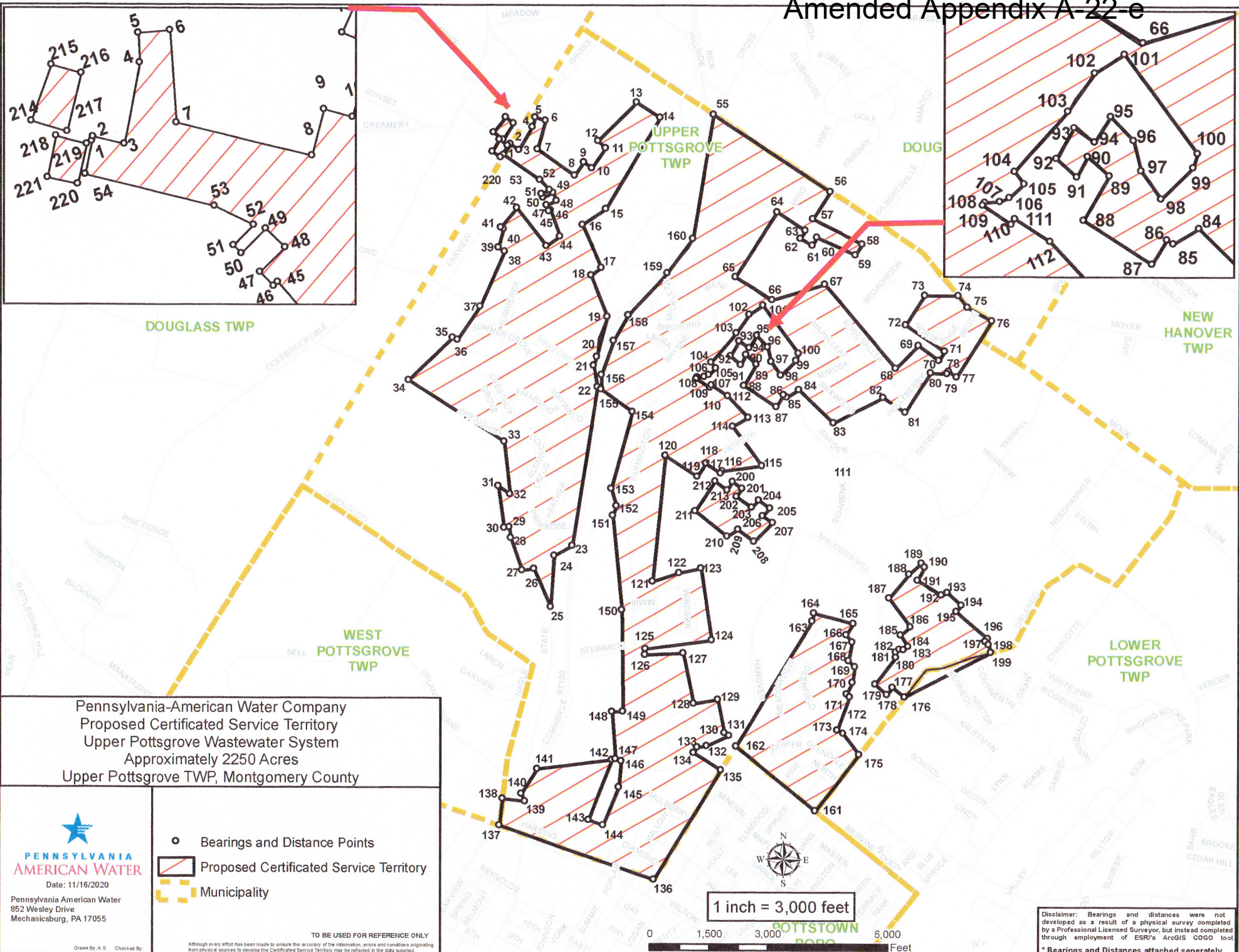

Scott Fogelsanger
Senior Manager, Business Development

Pennsylvania American Water's application is consistent with the applicable comprehensive plans and zoning ordinances.

Pottstown Borough Authorized Representative _____

Printed Name/Title _____ Date _____

Please send/e-mail this form to: Scott Fogelsanger at Scott.Fogelsanger@amwater.com

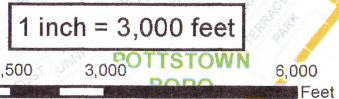


Pennsylvania-American Water Company
 Proposed Certificated Service Territory
 Upper Pottsgrove Wastewater System
 Approximately 2250 Acres
 Upper Pottsgrove TWP, Montgomery County

PENNSYLVANIA
AMERICAN WATER
 Date: 11/16/2020
 Pennsylvania American Water
 852 Wesley Drive
 Mechanicsburg, PA 17055

- Bearings and Distance Points
- ▭ Proposed Certificated Service Territory
- ▭ Municipality

TO BE USED FOR REFERENCE ONLY
 Although every effort has been made to ensure the accuracy of the information, errors and conditions originating from physical sources in developing the Certificated Service Territory may be reflected in the data supplied.



Disclaimer: Bearings and distances were not developed as a result of a physical survey completed by a Professional Licensed Surveyor, but instead completed through employment of ESRI's ArcGIS COGO tool.
 *Bearings and Distances attached separately



852 Wesley Drive
Mechanicsburg, PA 17055
717-550-1509 Office
717-875-2282 Cell

Scott.Fogelsanger@amwater.com

www.amwater.com

November 17, 2020

Kenneth Kirch, Chairman
Douglass Township Planning Commission
Douglass Township Municipal Building
1068 Douglass Drive
Boyertown, PA 19512

Re: Pennsylvania -American Water Company application to acquire the Upper Pottsgrove Township Wastewater System, Montgomery County, Pennsylvania.

Dear Chairman Kirch,

Pennsylvania American Water Company (Pennsylvania American Water) will soon be submitting an application under Section 1329 of the Pennsylvania Public Utility Commission (PUC) Code, 66 Pa. C. S. §1329 for the acquisition of Upper Pottsgrove Township's sewer system.

Prior to filing the application, and pursuant to our application filing requirements, we are to request evidence that the filing is consistent with your counties' comprehensive plan, specifically our certificated service territory aligns with your Comprehensive Plan and Zoning. I have attached a map identifying the certificated service territory (bold line) for the existing water area for your reference.

Specifically, the PUC requests the County provide a response (yes/no) to the following questions:

1. Are there adopted municipal comprehensive plans for the townships/boroughs involved? ___
2. Is there an adopted county comprehensive plan? ___
3. Is there an adopted multi-municipal or multi-county comprehensive plan? ___
4. Is there an adopted county or municipal zoning ordinance or joint municipal zoning ordinance? ___
5. Is the proposed project consistent with these comprehensive plans and/or zoning ordinances? ___
6. If the answer is "yes" to any of the above questions, please sign below, or submit a letter, indicating that the application is consistent with the applicable comprehensive plans and zoning ordinances. If not, please provide an explanation.

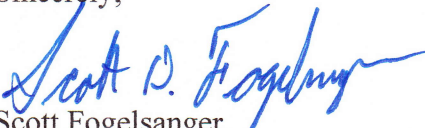
Amended Appendix A-22-e

Would you please review, complete, sign below and return to my attention?

Please feel free to contact me at 717-550-1509 or email at Scott.Fogelsanger@amwater.com if you have additional questions.

If possible, kindly return as soon as possible.

Sincerely,

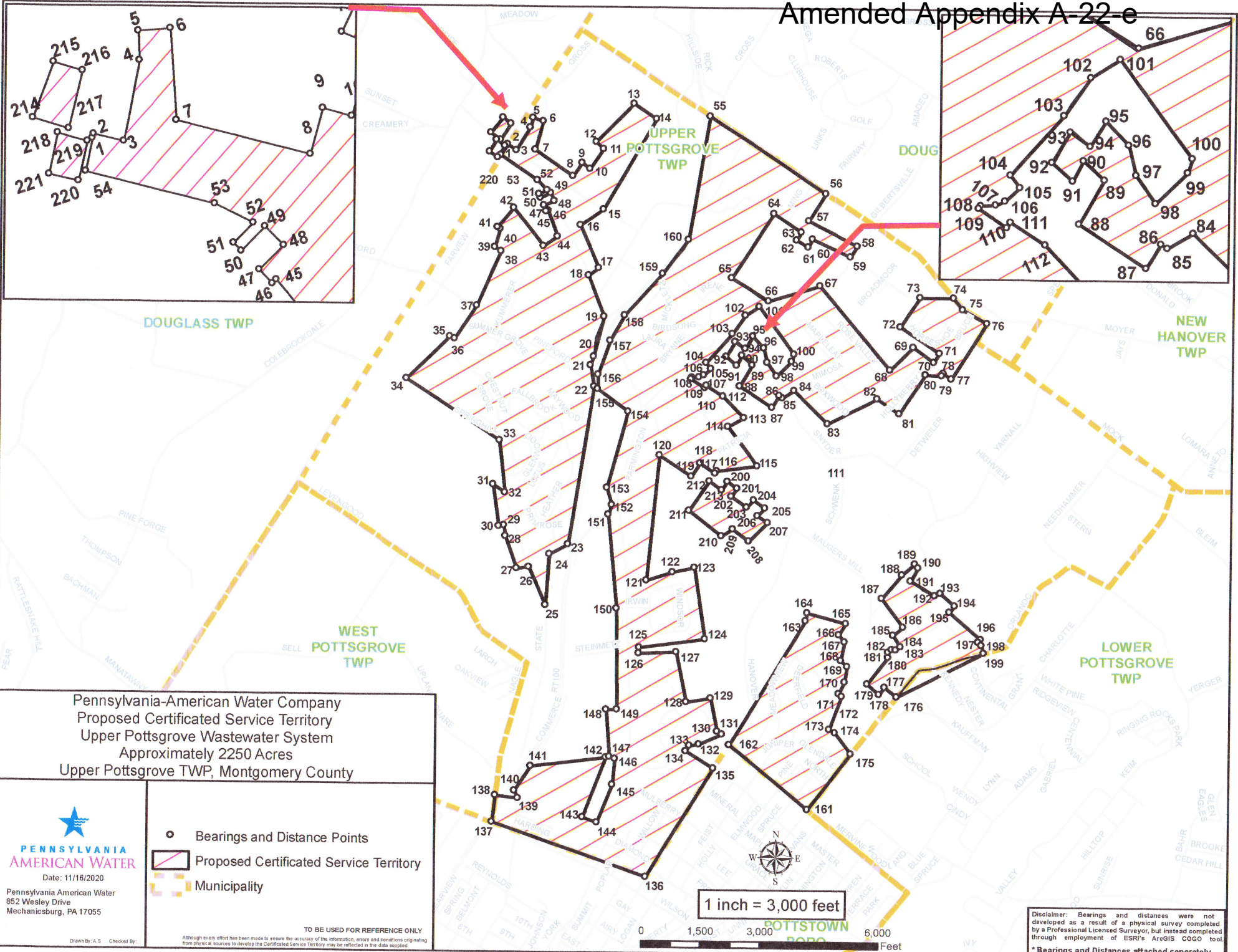

Scott Fogelsanger
Senior Manager, Business Development

Pennsylvania American Water's application is consistent with the applicable comprehensive plans and zoning ordinances.

Douglass Township Authorized Representative _____

Printed Name/Title _____ Date _____

Please send/e-mail this form to: Scott Fogelsanger at Scott.Fogelsanger@amwater.com



Pennsylvania-American Water Company
 Proposed Certificated Service Territory
 Upper Pottsgrove Wastewater System
 Approximately 2250 Acres
 Upper Pottsgrove TWP, Montgomery County

**PENNSYLVANIA
 AMERICAN WATER**
 Date: 11/16/2020
 Pennsylvania American Water
 852 Wesley Drive
 Mechanicsburg, PA 17055

- Bearings and Distance Points
- ▭ Proposed Certificated Service Territory
- ▭ Municipality

TO BE USED FOR REFERENCE ONLY
 Although every effort has been made to ensure the accuracy of the information, errors and omissions originating from physical sources to develop the Certificated Service Territory may be reflected in the data supplied.

Disclaimer: Bearings and distances were not developed as a result of a physical survey completed by a Professional Licensed Surveyor, but instead completed through employment of ESRI's ArcGIS COGO tool.
 *Bearings and Distances attached separately



852 Wesley Drive
Mechanicsburg, PA 17055
717-550-1509 Office
717-875-2282 Cell

Scott.Fogelsanger@amwater.com

www.amwater.com

November 17, 2020

David N. Hunter, Sr., AICP
Executive Director
Berks County Planning Commission
Berks County Services Center 14th Floor
633 Court Street
Reading, PA 19601

Re: Pennsylvania -American Water Company application to acquire the Upper Pottsgrove Township Wastewater System, Montgomery County, Pennsylvania.

Dear Mr. Hunter,

Pennsylvania American Water Company (Pennsylvania American Water) will soon be submitting an application under Section 1329 of the Pennsylvania Public Utility Commission (PUC) Code, 66 Pa. C. S. §1329 for the acquisition of Upper Pottsgrove Township's sewer system.

Prior to filing the application, and pursuant to our application filing requirements, we are to request evidence that the filing is consistent with your counties' comprehensive plan, specifically our certificated service territory aligns with your Comprehensive Plan and Zoning. I have attached a map identifying the certificated service territory (bold line) for the existing water area for your reference.

Specifically, the PUC requests the County provide a response (yes/no) to the following questions:

1. Are there adopted municipal comprehensive plans for the townships/boroughs involved? ___
2. Is there an adopted county comprehensive plan? ___
3. Is there an adopted multi-municipal or multi-county comprehensive plan? ___
4. Is there an adopted county or municipal zoning ordinance or joint municipal zoning ordinance? ___
5. Is the proposed project consistent with these comprehensive plans and/or zoning ordinances? ___
6. If the answer is "yes" to any of the above questions, please sign below, or submit a letter, indicating that the application is consistent with the applicable comprehensive plans and zoning ordinances. If not, please provide an explanation.

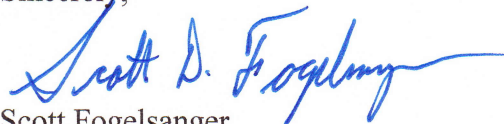
Amended Appendix A-22-e

Would you please review, complete, sign below and return to my attention?

Please feel free to contact me at 717-550-1509 or email at Scott.Fogelsanger@amwater.com if you have additional questions.

If possible, kindly return as soon as possible.

Sincerely,



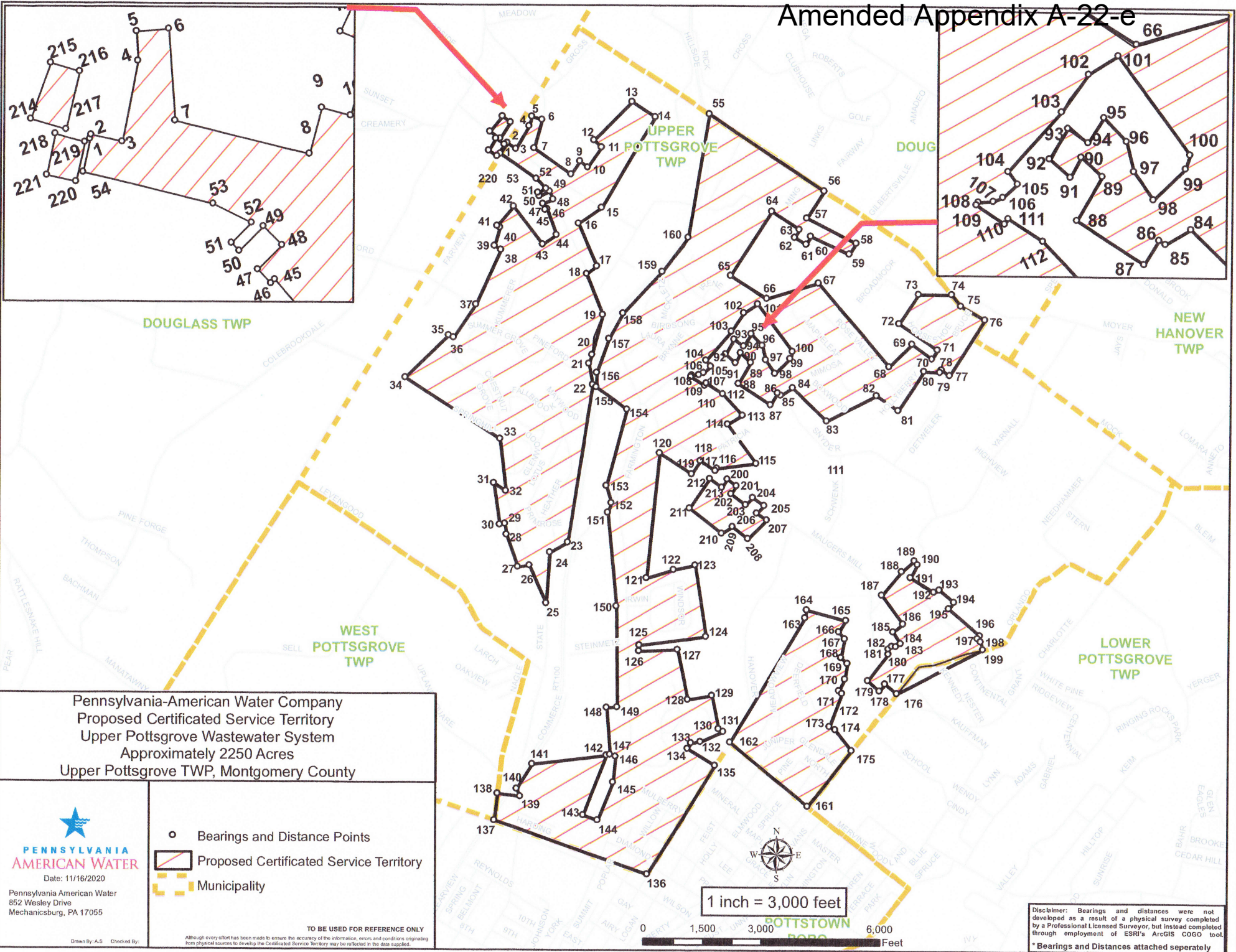
Scott Fogelsanger
Senior Manager, Business Development

Pennsylvania American Water's application is consistent with the applicable comprehensive plans and zoning ordinances.

Berks County Authorized Representative _____

Printed Name/Title _____ Date _____

Please send/e-mail this form to: Scott Fogelsanger at Scott.Fogelsanger@amwater.com



Pennsylvania-American Water Company
 Proposed Certificated Service Territory
 Upper Pottsgrove Wastewater System
 Approximately 2250 Acres
 Upper Pottsgrove TWP, Montgomery County

**PENNSYLVANIA
 AMERICAN WATER**
 Date: 11/16/2020
 Pennsylvania American Water
 852 Wesley Drive
 Mechanicsburg, PA 17055

○ Bearings and Distance Points
 Proposed Certificated Service Territory
 Municipality

TO BE USED FOR REFERENCE ONLY
 Although every effort has been made to ensure the accuracy of the information, errors and conditions originating from physical sources to develop the Certificated Service Territory may be reflected in the data supplied.

1 inch = 3,000 feet

Disclaimer: Bearings and distances were not developed as a result of a physical survey completed by a Professional Licensed Surveyor, but instead completed through employment of ESRI's ArcGIS COGO tool.
 *Bearings and Distances attached separately

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3722

FAX: 610-278-3941 • TDD: 610-631-1211
WWW.MONTCOPA.ORG

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

Amended Appendix A-22-e

December 8, 2020

Pennsylvania American Water
Attn: Scott Fogelsanger
852 Welsey Drive
Mechanicsburg, PA 17055

Re: PA-American Water Company
Acquisition of Township Wastewater System
Upper Pottsgrove Township

Dear Mr. Fogelsanger,

We have received your letter regarding your intent to submit an application under Section 1329 of the Pennsylvania Public Utility Commission (PUC) Code, 66 Pa.C.S. §1329 for the acquisition of Upper Pottsgrove Township's sewer system for \$13.75 million. Based on the information provided, the Montgomery County Planning Commission (MCPC) has no objections or comments. The sale of the System to PA American Water Company which is financially stable and well known for providing high standards of operation and maintenance is generally consistent with the Montgomery County Comprehensive Plan (adopted January 15, 2015) and in particular our goal to support a modern, resilient, green and energy-efficient infrastructure network. Should there be any questions regarding the content of this letter, please contact me at (610) 278-3729.

Sincerely,

Ellis Foley, Environmental Planner II
efoley@montcopa.org . 610-278-3729