



March 15, 2021

VIA E-FILING

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Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
Harrisburg, PA 17120

Re: TANYA J. MCCLOSKEY, ACTING CONSUMER ADVOCATE V. HIDDEN VALLEY UTILITY SERVICES, L.P. – WATER, DOCKET NO. C-2014-2447138

TANYA J. MCCLOSKEY, ACTING CONSUMER ADVOCATE V. HIDDEN VALLEY UTILITY SERVICES, L.P. – WASTEWATER, DOCKET NO. C-2014-2447169

JOINT STIPULATION FOR ADMISSION OF EVIDENCE

Dear Secretary Chiavetta:

In accordance with Ordering Paragraph No. 6 of the Sixth Post-Hearing Order in this proceeding, enclosed for filing with the Pennsylvania Public Utility Commission ("Commission") is the Joint Stipulation for Admission of Evidence executed by all of the parties to this proceeding. All parties to this proceeding are being served as shown on the attached Certificate of Service.

Please contact me if you have any questions regarding this filing. Thank you.

Sincerely,

COZEN O'CONNOR

BY: Jonathan P. Nase
Counsel for *Hidden Valley Utility Services, L.P.*

JPN:kmg

Enclosures

cc: Honorable Katrina L. Dunderdale
Per Certificate of Service
James M. Kettler

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tanya J. McCloskey, Acting Consumer Advocate	:	
	:	
	:	Docket No. C-2014-2447138
v.	:	
	:	
Hidden Valley Utility Services, L.P. – Water	:	
	:	
and	:	
	:	
Tanya J. McCloskey, Acting Consumer Advocate	:	
	:	
	:	Docket No. C-2014-2447169
v.	:	
	:	
Hidden Valley Utility Services, L.P. – Wastewater	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Joint Stipulation for the Admission of Evidence**, upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

DUE TO THE COVID-19 EMERGENCY, SERVICE IS BEING MADE VIA E-MAIL ONLY:

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DATED: March 15, 2021

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Kellie A. Kuhleman
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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Administrative Law Judge
Katrina L. Dunderdale**

Tanya J. McCloskey, Acting Consumer Advocate :
v. : Docket No. C-2014-2447138
Hidden Valley Utility Services, L.P. – Water :

and

Tanya J. McCloskey, Acting Consumer Advocate :
v. : Docket No. C-2014-2447169
Hidden Valley Utility Services, L.P. – Wastewater :

JOINT STIPULATION FOR ADMISSION OF EVIDENCE

Hidden Valley Utility Services, L.P. (“HVUS”), the Office of Consumer Advocate (“OCA”), the Pennsylvania Public Utility Commission’s Bureau of Investigation & Enforcement (“I&E”), Sharon Howard-Frieri, and Robert J. Kollar, CPA and Kellie A. Kuhleman (the “Kollar Complainants”), all the active parties to the above-captioned proceeding (hereinafter, collectively referred to as the “Stipulating Parties”), file this “Joint Stipulation for Admission of Evidence” (“Stipulation”) in the above-captioned proceeding. In support of the Stipulation, the Stipulating Parties represent as follows:

I. Background

1. In the Sixth Post-Hearing Order, Administrative Law Judge Katrina L. Dunderdale (the "ALJ") reopened the record in this proceeding and directed that, by March 1, 2021, HVUS would file a detailed status report to indicate pertinent facts concerning the status of the new water treatment plant.

2. The Sixth Post-Hearing Order also directed that, by March 8, 2021, the other parties to this proceeding would indicate (a) if they agreed with or objected to admitting the detailed status report into the hearing record, (b) if an additional hearing is needed, and (c) if the party believed there are other pertinent facts which purportedly occurred since the hearing record closed on September 8, 2021 that are relevant to the status of pending compliance items.

3. The Sixth Post-Hearing Order further directed that, if the parties agreed that the detailed status report can be admitted into the record without cross examination, the parties would file a stipulated agreement with the ALJ by March 15, 2021.

4. A telephonic hearing is currently scheduled for March 23, 2021. Pursuant to the Sixth Post-Hearing Order, this telephonic hearing will be cancelled if the parties file a stipulated agreement.

5. On March 1, 2021, HVUS filed its Detailed Status Report.

6. On March 8, 2021, OCA sent an e-mail to the ALJ, notifying her that:

Based on its review of the Detailed Status Report, the OCA would like some additional information about the status of the project and the system. After discussing the matter with HVUS, the OCA proposes the following in lieu of a hearing. The OCA will serve its questions to HVUS as formal interrogatories, which HVUS has agreed to answer within 20 calendar days of the date Your Honor approves this proposal. Within 10 days after receipt of the responses, the OCA would like to reserve the opportunity to request that one or more of the discovery responses be introduced into the record as a post-hearing exhibit. We can do so through a formal Motion or informally by email, if the ALJ is amenable. All parties would have an opportunity to respond to OCA's Motion/e-mail. In conjunction

with this proposal, the OCA requests that the evidentiary record, reopened in the Sixth Post-Hearing Order, remain open until that time.

The OCA has also discussed this proposal with Ms. Kaster, Ms. Howard-Frieri and Mr. Kollar. All parties have indicated their agreement to the proposal and, specifically, to:

- waiving the evidentiary hearing[;]
- leaving the record open for the OCA to request admission of the information provided through discovery as a post-hearing exhibit[; and]
- admitting the HVUS Detailed Status Report filed March 1, 2021 into the hearing record.

7. Via e-mail of March 8, 2021, the ALJ approved the OCA's proposal. An order will be issued to that effect in the future.

8. Also on March 8, 2021, the OCA served its discovery on HVUS.

II. Stipulation

9. The Stipulating Parties hereby jointly stipulate to the admission into the evidentiary record of the Detailed Status Report of Hidden Valley Utility Services, L.P., including all attachments thereto.

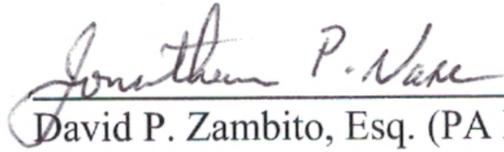
III. Order Granting Joint Stipulation

10. Attached hereto as **Exhibit 1** is a proposed "Order Granting Joint Stipulation for Admission of Evidence" for consideration by the Presiding Officer.

IV. Request for Relief

WHEREFORE, HVUS, OCA, I&E, Sharon Howard-Frieri, and the Kollar Complainants respectfully request that the Honorable Administrative Law Judge Katrina L. Dunderdale admit the Detailed Status Report of Hidden Valley Utility Services, L.P., and all attachments thereto, into the record in this proceeding on the terms and conditions set forth in this Stipulation.

Respectfully submitted,



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Jonathan P. Nase, Esq. (PA ID 44003)
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L.P.*



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Enforcement*

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Kuhleman

Sharon Howard-Frieri

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/s/ Allison Kaster

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Counsel for *Bureau of Investigation and
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Sharon Howard-Frieri

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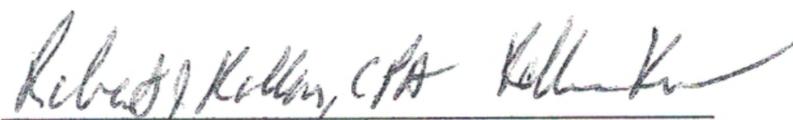
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L.P.*

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/s/ Sharon Howard-Frieri

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Counsel for *Bureau of Investigation and
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EXHIBIT 1

**FORM OF ORDER GRANTING
JOINT STIPULATION FOR ADMISSION OF EVIDENCE**

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tanya J. McCloskey, Acting Consumer Advocate :
v. : Docket No. C-2014-2447138
Hidden Valley Utility Services, L.P. – Water :

and

Tanya J. McCloskey, Acting Consumer Advocate :
v. : Docket No. C-2014-2447169
Hidden Valley Utility Services, L.P. – Wastewater :

**ORDER GRANTING JOINT STIPULATION
FOR ADMISSION OF EVIDENCE**

On March 15, 2021, Hidden Valley Utility Services, L.P. (“HVUS”), the Office of Consumer Advocate (“OCA”), the Pennsylvania Public Utility Commission’s Bureau of Investigation & Enforcement (“I&E”), Sharon Howard-Frieri, and Robert J. Kollar, CPA and Kellie A. Kuhleman (the “Kollar Complainants”) (collectively, the “Stipulating Parties”) filed a “Joint Stipulation for Admission of Evidence” (“Stipulation”) in the above-captioned proceeding. Each of the Stipulating Parties requested that the Detailed Status Report of Hidden Valley Utility Services, L.P., including all attachments thereto, attached as **Appendix 1**, be admitted into the evidentiary record, subject to the terms and conditions set forth therein.

As this request is reasonable, it will be granted.

THEREFORE, IT IS ORDERED:

1. That the Stipulation, filed on March 15, 2021, is APPROVED; and
2. That the Detailed Status Report of Hidden Valley Utility Services, L.P., including all attachments thereto, is admitted into the evidentiary record.

Date: _____

Katrina L. Dunderdale
Administrative Law Judge

APPENDIX 1



March 1, 2021

VIA E-FILING

Jonathan P. Nase

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Direct Fax 215-372-2340
jnase@cozen.com

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
Harrisburg, PA 17120

Re: TANYA J. MCCLOSKEY, ACTING CONSUMER ADVOCATE V. HIDDEN VALLEY UTILITY SERVICES, L.P. – WATER, DOCKET NO. C-2014-2447138

TANYA J. MCCLOSKEY, ACTING CONSUMER ADVOCATE V. HIDDEN VALLEY UTILITY SERVICES, L.P. – WASTEWATER, DOCKET NO. C-2014-2447169

HIDDEN VALLEY UTILITY SERVICES, L.P.'s DETAILED STATUS REPORT REQUIRED BY SIXTH POST-HEARING ORDER (INCLUDING THE SIXTY-DAY STATUS REPORT REQUIRED BY COMMISSION ORDER ENTERED JANUARY 18, 2018 AND RECONSIDERED MAY 3, 2018)

Dear Secretary Chiavetta:

On behalf of Hidden Valley Utility Services, L.P. ("HVUS"), enclosed for filing with the Pennsylvania Public Utility Commission ("Commission"), please find the Detailed Status Report required by Ordering Paragraph 2 of the Sixth Post-Hearing Order in the above-referenced proceeding. Please note that HVUS has included, as Appendix C to this status report, the sixty-day status report due March 15, 2021, in accordance with Ordering Paragraph No. 17 of the Commission's Order in the above-referenced matters. All parties to this proceeding are being served as shown on the attached Certificate of Service.

Please contact me if you have any questions regarding this filing. Thank you.

Sincerely,

COZEN O'CONNOR

BY: Jonathan P. Nase
Counsel for *Hidden Valley Utility Services, L.P.*

JPN:kmg

Enclosures

cc: Honorable Katrina L. Dunderdale
Per Certificate of Service
Paul Diskin, Director, Bureau of Technical Utility Services
James M. Kettler

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tanya J. McCloskey, Acting Consumer Advocate	:	
	:	
	:	Docket No. C-2014-2447138
v.	:	
	:	
Hidden Valley Utility Services, L.P. – Water	:	
	:	
and	:	
	:	
Tanya J. McCloskey, Acting Consumer Advocate	:	
	:	
	:	Docket No. C-2014-2447169
v.	:	
	:	
Hidden Valley Utility Services, L.P. – Wastewater	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Detailed Status Report (including Sixty-Day Status Report) of Hidden Valley Utility Services, L.P.**, upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

DUE TO THE COVID-19 EMERGENCY, SERVICE IS BEING MADE VIA E-MAIL ONLY:

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DATED: March 1, 2021

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Consultant for
Office of Consumer Advocate



Jonathan P. Nase, Esquire
Counsel for *Hidden Valley Utility Services, L.P.*

VERIFICATION

I, JAMES KETLER, hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. 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: March 1, 2021



**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**ADMINISTRATIVE LAW JUDGE
KATRINA L. DUNDERDALE**

Tanya J. McCloskey, Acting Consumer Advocate :
v. : Docket No. C-2014-2447138
Hidden Valley Utility Services, L.P. – Water :

and

Tanya J. McCloskey, Acting Consumer Advocate :
v. : Docket No. C-2014-2447169
Hidden Valley Utility Services, L.P. – Wastewater :

**DETAILED STATUS REPORT OF
HIDDEN VALLEY UTILITY SERVICES, L.P.**

AND NOW COMES Hidden Valley Utility Services, L.P. (“HVUS”), pursuant to Ordering Paragraph 2 of the Sixth Post-Hearing Order issued by Administrative Law Judge Katrina L. Dunderdale (the “ALJ”) on February 17, 2021, to file a Detailed Status Report regarding the status of construction of a water treatment plant and related activities to remove iron and manganese from the water provided to HVUS’s customers. HVUS acknowledges, however, that Ordering Paragraph 17 of the Order of the Pennsylvania Public Utility Commission (“Commission”) entered in this matter on May 3, 2018 (the “May 2018 Order”) requires HVUS to file another sixty-day status report on March 15, 2021. To provide the ALJ and all parties with all pertinent information

at one time, HVUS’s March 2021 Status Report is being filed with, and is included in, this Detailed Status Report as **Appendix C**.

In support whereof, HVUS avers as follows:

1. On January 12, 2021, HVUS filed a sixty-day status report required by Ordering Paragraph 17 of the May 2018 Order (the “January 2021 Status Report”).
2. The January 2021 Status Report stated at pages 2-3 (emphasis added):

Task to be completed on or before	Task	Source – Ordering Paragraph	Status
4-18-18	HVUS will file with the Commission a report from an engineer regarding its water system, including a schedule to replace/test customer meters to obtain compliance by April 30, 2019. Copies are to be provided to TUS and OCA within 14 days of receipt. If the means to address iron and manganese is treatment of water from Wells 1 and 2, HVUS will install instrumentation to control the on/off cycle of Well 2. ¹	6, 7 and 23	The engineer’s report was filed with the Commission on April 18, 2018. A copy was provided to TUS and OCA that same day. With regard to water meter testing and replacement, 52 Pa. Code § 65.8 requires periodic testing of water meters. HVUS is in compliance with this regulation. HVUS has purchased a water treatment plant to address the iron and manganese in the water. On March 9, 2020, the Pennsylvania Department of Environmental Protection (“DEP”) issued a public water supply permit authorizing the construction of the water treatment plant. HVUS has obtained a county minor land development approval from Somerset County and a building permit, <i>and has begun construction of the plant. Construction is on-going and, subject to the weather, the COVID-19 Pandemic and other factors beyond the control of the company, is expected to be completed in early 2021.</i> HVUS management is meeting on-site, bi-weekly, with a subcommittee of the Board of Directors of the Hidden Valley Foundation, Inc., regarding the status of the project. The construction will include the installation of instrumentation to control the on/off cycle of Well 2.

¹ The Commission’s Order is unclear when HVUS is required to install the instrumentation.

3. At the time the January 2021 Status Report was filed, HVUS management anticipated that construction of the water treatment plant would be completed during the first quarter of 2021. HVUS regrets any confusion caused by the wording of the January 2021 Status Report.

4. As of this date, construction of the water treatment plant has not been completed. HVUS defines the completion of building construction as obtaining a certificate of occupancy for the physical building known as “2019 Potable Water Filtration Facilities Project” as drawn by The EADS Group dated November 26, 2019, and the approved Building Permit issued by Jefferson Township - Somerset County, dated July 24, 2020.

5. **Appendix A** includes a statement from Brad Stinebiser, P.E., representing The EADS Group, HVUS’s consulting engineering firm, concerning the status of construction of the water treatment plant and the permits that will be necessary to operate the plant. A verification from Mr. Stinebiser is also included. This statement is primarily based on a visit to the site on February 23, 2021, because Mr. Stinebiser has been minimally involved in the construction of the water treatment plant.

6. The Public Water Supply Permit issued March 7, 2020 by DEP for the construction of a new water treatment plant (filtration building) at the Hidden Valley Resort requires construction of the following: a pre-chlorination chemical feed system; raw water tank; raw water pumps; greensand filtration system; backwash holding tank; associated waterline and appurtenances; the replacement of the pump in Well No. 1; the installation of a new variable frequency drive panel for Well No. 2; and upgrading the system control and telemetry equipment.

7. The chart below summarizes the status of each of the construction activities required at the water treatment plant to obtain the DEP Public Water Supply Permit:

	<u>Activity</u>	<u>Status</u>
1.	Pre-Chlorination chemical feed system	In progress
2.	Raw water Tank	Completed
3.	Raw water pumps	Completed
4.	Greensand filtration system	In progress
5.	Backwash holding tank	Completed
6.	Associated waterline and appurtenances	Nearly Complete
7.	Replacement of the pump in Well No. 1.	Completed
8.	Installation of new variable frequency drive panel for Well No. 2	In progress
9.	Upgrade the system controls and telemetry equipment	In progress
10.	Backwash filters and analyze for total coliform Per AWWA standards	In progress

8. At the completion of all ten required specifications, HVUS management will submit a “Completion of Construction” form to DEP’s Bureau of Safe Drinking Water in order to obtain an “Operations of Facilities” permit. DEP must come to the site and inspect the new facilities and, once approved, HVUS can operate the water treatment plant.

9. In addition, the water treatment plant received Somerset County Building Permit Number 2020-1649-SOM. In order to receive a building occupancy permit, several inspections must be completed. The chart below summarizes the status of these inspections:

	<u>Inspection</u>	<u>Status</u>
1.	Footing	Approved 9/3/2020
2.	Underslab	Approved 9/17/2020
3.	Foundation	Approved 12/7/2020
4.	Framing	Approved 12/7/2020
5.	Electric rough-in	Approved 2/22/2021
6.	Plumbing rough-in	Approved 2/22/2021
7.	HVAC rough-in	Approved 2/22/2021
8.	Electric final	In progress
9.	Plumbing final	In progress
10.	HVAC final	In progress
11.	Energy - Insulation	In progress

- 12. Accessibility Final In progress
- 13. Building final – Occupancy Permit In progress

10. At this time, HVUS management anticipates that construction of the water treatment plant (as defined in Paragraph 4 above) will be completed by May 31, 2021. HVUS management, however, acknowledges that this is only an estimate; construction could be delayed by weather, the COVID-19 Pandemic, and other factors beyond the control of HVUS. For example, the water treatment plant must be connected to a permanent power source, but HVUS has no control over how long it takes the electric distribution company to install an electric line to the site.

11. **Appendix B (CONFIDENTIAL)** contains photographs of the water treatment plant taken during the week of February 22-26, 2021.

12. In addition to the construction of the water treatment plant, HVUS will take the following steps to eliminate iron and manganese from HVUS’s water distribution system:

a. A scuba diver will vacuum accumulated iron and manganese from HVUS’s water storage tank. An independent contractor will perform this work. The contractor is expected to arrive on site during the summer of 2021 to perform this task.

b. HVUS will flush the water in its distribution system. At this time, it is expected that this task can be completed within thirty days of the date the water storage tank is vacuumed.

c. HVUS will advise customers to flush the water from the lines in their homes. At this time, it is estimated that HVUS can send this notice to customers within ten days of completing the flushing of HVUS’s water distribution system. However, HVUS has no control over the date that customers actually perform this flushing. Hidden Valley is a seasonal community and some residents are gone for an extended period of time.

13. HVUS will file a Petition to Reopen the Record within ten days after the completion of any step listed on page 1 of **Appendix A** or in Paragraph 12.

14. To provide the ALJ and the parties with additional details on the status of compliance with the May 2018 Order, attached as **Appendix C** is the March 2021 Status Report required by Ordering Paragraph 17 of the May 2018 Order.

WHEREFORE, Hidden Valley Utility Services, L.P. respectfully requests that Administrative Law Judge Katrina L. Dunderdale admit this Detailed Status Report and Appendices into the record in these proceedings.

Respectfully submitted,



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Counsel for *Hidden Valley Utility Services, L.P*

Dated: March 1, 2021

APPENDIX A

VERIFIED STATEMENT OF ENGINEER

VERIFICATION

I, Bradley R. Stinebiser, P.E., hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. 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:

March 1, 2021



As of this 23rd day of February, 2021, the plans for completing construction of the Hidden Valley Utility Services, L.P. (“HVUS”) water treatment plant and related activities to eliminate the rust or brown-colored water provided to customers include the following:

Activity	Status
Complete construction of water treatment plant	In progress. See attached Supplement.
Submit operating permit application to DEP	Not yet submitted.
Receive operating permit from DEP	Not yet received. No information is currently available as to how long DEP will need to issue the operating permit.
Receive building occupancy permit from Building Code Agency.	Not yet received.

At this time, construction of the water treatment plant is estimated to be completed (as defined in Paragraph 4 of the Detailed Status Report of Hidden Valley Utility Services, L.P.) by May 31, 2021. Please note, however, that this is only an estimate and is subject to change based on inclement weather, the COVID-19 Pandemic, delays caused by DEP or other third parties, and other factors beyond the control of HVUS.

Supplement

Hidden Valley Utility Services, LP
Water Filtration Plant Project
Status of Construction
As of February 23, 2021

For the construction phase of the HVUS Water Filtration Plant Project, The EADS Group, Inc. (EADS) has been engaged in a limited role on an as-requested basis by HVUS, with construction management, construction administration and inspection being performed by HVUS personnel. On February 23, 2021 we visited the plant site at the request of HVUS to observe construction progress. At the time of this visit, EADS was not able to observe new underground facilities, foundations, underground piping, and underground appurtenances. For these items, EADS discussed progress with HVUS Licensed System Operator, Mr. Glenn Fodor, who confirmed progress and status of these items. The outside areas of the sites were covered by significant snow accumulation. The observed progress of the project construction is presented below, categorized by system components.

1. Well No. 1 - We were not able to visit this site on February 23, 2021 due to snow accumulation. Mr. Fodor stated the new well pump is installed and operating on the old VFD drive. He said the new VFD drive is installed but not yet connected, and remaining items include connecting the new VFD drive, and installation/startup of the control telemetry radio unit.
2. Well No. 2 – We were not able to visit this site on February 23, 2021 due to snow accumulation. Mr. Fodor stated the electromagnetic flow meter is installed, and remaining items include installing the VFD drive, and installation/startup of the control telemetry radio unit.
3. Chlorine Contact Tanks Piping Vault – The piping modifications appeared to be completed.
4. Site Underground Piping – Mr. Fodor stated the site underground piping for raw water, finished water, and drains were installed.
5. Site Underground Electrical and Control Conduit – Mr. Fodor stated the site underground electrical and control conduit was installed.
6. Treatment Plant Building – General – The new treatment plant building construction is under roof and enclosed by concrete masonry unit walls. Exterior doors and windows are installed with some hardware and finish work remaining. Exterior work remaining includes finishing the building exterior, installing soffit, fascia, roof shingles, rain gutters and lighting. On the building interior, the plywood ceiling is installed and work such as the office door installation remains. Mr. Fodor stated the insulation in the rafter area will be blown in. The concrete floor and floor drains are installed. Unit heaters and the exhaust fan are mounted. Installation of the air intake louver and office heater/air conditioning unit remains, along with the counter and sink. Final site grading and restoration remains.
7. Pre-Chlorination Chemical Feed System – The chemical feed pumps are mounted and containment curbing is installed. The chemical feed line is partially installed. Remaining

work includes completion of the chemical feed lines, installing sodium hypochlorite product in containers, control wiring and startup.

8. Raw Water Tank – The polyethylene tank is placed, and piping and drains are installed. Remaining work includes installing control equipment/level sensors and startup.
9. Raw Water Pumps – The four (4) raw water pumps, suction and discharge piping are installed. Remaining work includes power and control wiring, and system startup.
10. Greensand Filtration Units – The four (4) filtration units are in place and influent, effluent and backwash piping are nearly completed. Mr. Fodor will be installing flow meters at each filter unit to monitor flow through each unit individually. Mr. Fodor said the filter media shipment is pending and when received, the media will be installed and conditioned for use per manufacturer's recommendations. Other remaining work includes startup and testing of the units.
11. Filter Backwash System – Mr. Fodor stated the tap of the filter backwash line to the high service line at the clearwell pump building is completed. He indicated he moved the location of the backwash line pressure reducing valve to the area of the tap to the high service line at the clearwell pump building, and that he must complete installation of the vault to house the pressure reducing valve. Because of the high pressure in the high service line, he wanted to reduce the pressure in the backwash line outside of the treatment building. The backwash line inside the building is installed, along with the pressure relief valve, backflow preventer and flow meter. Other remaining work includes startup and adjustment of the control valves. Mr. Fodor indicated the backwash drain to the sewage treatment plant is installed, and he installed a splitter box at the connection to the sewage treatment plant influent line. Mr. Fodor also said the backwash holding tank is installed, with installation of the level sensors and finish backfill remaining.
12. Electrical Construction – On the day of our visit, the electrical contractor was installing conduit within the new filtration building. The electrical service panels in the building are being mounted. Lighting fixtures inside the building are mounted and wiring remains. Remaining work includes finishing the panel and conduit installation, wiring and connections. Mr. Fodor indicated the power company new service work is pending.
13. Controls and Telemetry – The main control panel in the building is mounted. Remaining work includes installation of the wiring and various control sensors and remote telemetry units, startup and testing. This includes installing VFD drives and a remote telemetry unit at the existing clearwell pumps.
14. Submission of Changes to PA DEP – A submission to PA DEP is being prepared to provide notification of changes since issuance of the Public Water Supply Permit for items such as a change in the specific raw water pumps, installation of a larger raw water tank, relocation of the backwash pressure reducing valve, providing individual flow meters at each filter instead of a master filter influent meter, and the addition of the backwash splitter box at the sewage treatment plant. Also to be submitted to PA DEP is product information and NSF 61 certifications for some piping, valves, pumps, backflow preventer and meter items.

15. System Testing and Adjustments – Remaining work includes piping tightness testing and startup and testing of all equipment and control systems.
16. Final Approval and Inspections – Upon completion of system testing, final occupancy of the building must be applied for to the building code agency, and HVUS will submit the construction completion certificate to the Pennsylvania Department of Environmental Protection, who will then schedule and conduct their final inspection prior to issuance of the Operations Permit.

APPENDIX B
PHOTOGRAPHS OF WATER TREATMENT PLANT
AS OF THE WEEK OF FEBRUARY 22-26, 2021

(CONFIDENTIAL)

APPENDIX C

MARCH 2021 STATUS REPORT OF HVUS

**Hidden Valley Utility Services, L.P (“HVUS”) Compliance Timeline
per May 3, 2018 PUC Order on Reconsideration in
Docket Nos. C-2014-2447138 and C-2014-2447169**

Task to be completed on or before	Task	Source – Ordering Paragraph	Status
1-19-18	HVUS will pay all electric and telephone bills timely and execute forms authorizing Penelec to provide monthly billing and payment information for HVUS accounts to the OCA.	15.	HVUS is paying all electric and telephone bills timely. On May 9, 2018, HVUS authorized Penelec to provide monthly billing and payment information for HVUS account to the OCA
1-19-18	HVUS will have a spare pump and motor available for Well No. 1 within 72 hours of the primary pump and motor becoming inoperable.	22.	HVUS has confirmed with its supplier that pumps and motors necessary for well #1 can be available within 72 hours of notice.
1-19-18	HVUS will maintain an operable, installed second high lift pump.	24.	The second high lift pump is installed and operational. The pump was installed in Dec. 2014, and a new electric check valve was installed in February 2015. Therefore, the second high lift pump has been operational since February 2015.
1-19-18	HVUS will provide an annual update of telephone service numbers, including copies of bills, so that customers can reliably contact HVUS.	15.	Customer bills include the following working telephone numbers for HVUS: (814) 443-0825 (877) 523-8181. In addition, in April, 2018, HVUS obtained the following toll-free number, which was listed in the customer notice of its rate increase in R-2018-3001306 and R-2018-3001307: (833) HVUS800

Task to be completed on or before	Task	Source – Ordering Paragraph	Status
			<p>On May 18, 2018, HVUS provided a copy of phone bills from the previous year to verify compliance.</p> <p>On July 16, 2019, HVUS provided its annual update of telephone service numbers to the Commission, including copies of bills.</p> <p>On May 15, 2020, HVUS provided its annual update of telephone service numbers to the Commission, including copies of bills.</p>
3-19-18	HVUS will consult with OCA re modifications to its consumer bills.	12.	A new invoice format was sent to the OCA on March 15, 2018. The OCA made recommendations, which were adopted by HVUS.
3-19-18	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the January 18, 2018 order.	17.	HVUS attempted to file on March 19, 2018, but used the wrong docket numbers. The status report was re-filed on April 11, 2018.
4-18-18	<p>HVUS will file with the Commission a report from an engineer regarding its water system, including a schedule to replace/test customer meters to obtain compliance by April 30, 2019. Copies are to be provided to TUS and OCA within 14 days of receipt.</p> <p>If the means to address iron and manganese is treatment of water from Wells 1 and 2, HVUS will install instrumentation to control the on/off cycle of Well 2.¹</p>	6, 7 and 23	<p>The engineer’s report was filed with the Commission on April 18, 2018. A copy was provided to TUS and OCA that same day.</p> <p>With regard to water meter testing and replacement, 52 Pa. Code § 65.8 requires periodic testing of water meters. HVUS is in compliance with this regulation.</p> <p>HVUS has purchased a water treatment plant to address the iron and manganese in the water. On March 9, 2020, the Pennsylvania Department of Environmental Protection (“DEP”) issued a public water supply permit</p>

¹ The Commission’s Order is unclear when HVUS is required to install the instrumentation.

Task to be completed on or before	Task	Source – Ordering Paragraph	Status
			<p>authorizing the construction of the water treatment plant. HVUS has obtained a county minor land development approval from Somerset County and a building permit, and has begun construction of the plant. Construction is on-going and, subject to the weather, the COVID-19 Pandemic and other factors beyond the control of the company, is expected to be completed by May 31, 2021. HVUS management is meeting on-site, bi-weekly, with a subcommittee of the Board of Directors of the Hidden Valley Foundation, Inc., regarding the status of the project. The construction will include the installation of instrumentation to control the on/off cycle of Well 2.</p>
4-18-18	HVUS will file with the Commission a report from an engineer regarding its wastewater system. Copies are to be provided to TUS and OCA within 14 days.	9. and 10.	The report was filed with the Commission on April 18, 2018. A copy was provided to TUS and OCA that same day.
4-18-18	HVUS will modify its billing practices to ensure that all bills are compliant with Commission rules, regulations and orders. A copy of the revised bill form is to be submitted to the PUC for review by BCS and TUS.	12. and 13.	A revised bill was submitted to BCS and TUS on April 18, 2018. On April 24, 2018, BCS provided recommendations, which HVUS agreed to implement. HVUS notified the OCA of BCS’s recommendations and HVUS’s agreement to implement them. HVUS used a modified billing format starting with the 3 rd Quarter billing cycle of 2018 and has further modified its bill format for the 2 nd Quarter billing cycle of 2019.

Task to be completed on or before	Task	Source – Ordering Paragraph	Status
4-18-18	HVUS will modify practices to comply with its tariff, the Code, the Commission’s regulations and orders.	16.	HVUS is constantly modifying its practices to comply with the Code, the Commission’s regulations and orders.
5-18-18	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	The Status Report was filed with the Commission on May 18, 2018.
6-30-18	HVUS will replace 1,500 feet of 3-inch line to the Heights and 1,000 feet of 2-inch line to Valley View.	5.a.	The line to the Heights was completed approximately June 8, 2016. A 6” diameter pipe to Valley View was installed by October 20, 2016. In addition, a loop was constructed at Lake Road, which was completed by November 14, 2016.
6-30-18	HVUS will begin conducting semi-annual customer meetings.	5.b.	A customer meeting was held on May 19, 2018 with approximately 125 customers in attendance. Representatives from the OCA were present at the meeting.
7-17-18	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this Status Report on July 17, 2018.
7-17-18	HVUS will amend any prior reports to the PUC containing incorrect information and ensure that it is filing reports with correct information.	14.	HVUS submitted revised annual PUC reports to the Commission on July 17, 2018. Further corrected reports were filed on or about June 27, 2019 as required by the Commission’s Order at Docket Nos. R-2018-3001306 and R-2018-3001307.
9-17-18	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this Status Report on September 17, 2018.

Task to be completed on or before	Task	Source – Ordering Paragraph	Status
11-16-18	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this Status Report on November 16, 2018.
12-31-18	HVUS will conduct another semi-annual customer meeting.	5.b.	HVUS conducted a semi-annual customer meeting on December 22, 2018.
12-31-18	HVUS will conduct a pressure survey in compliance with 52 Pa. Code § 65.6(d). HVUS shall install booster pumping stations if pressure is inadequate.	22.	HVUS conducted a pressure survey in May, 2018 and another pressure survey in December, 2018. Based on those results, HVUS will not install booster pumping stations.
1-16-19	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	5.b.	HVUS filed this Status report on January 16, 2019.
1-31-19	HVUS will comply with all recommendations in the engineer’s wastewater report.	11.	On January 31, 2019, HVUS’s engineer filed a verified status report indicating the tasks that were completed, the tasks that were removed from the engineer’s wastewater report (and the reasons for removing each task from the report), and the tasks that remained outstanding. On February 14, 2020, HVUS’s engineer filed a verified status report indicating that all remaining items on the engineer’s report had been completed.
1-31-19 (or when all repairs required by the order have been made)	HVUS will file a final status report with copies to the OCA and TUS.	19.	The status reports described in the preceding paragraph were filed with the Commission on the dates indicated and copies were provided to the OCA and TUS.

Task to be completed on or before	Task	Source – Ordering Paragraph	Status
3-18-19	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	The required status report was filed on March 18, 2019.
March 31, 2019 or 60 days after the final status report	TUS will investigate the water quality and the water and wastewater services being provided by HVUS. If the repairs have not been made or the water quality is inadequate, OALJ will hold an evidentiary hearing in which the burden of proof will be on HVUS.	20.	TUS staff was scheduled for a site visit in mid-March 2019, but cancelled that visit.
4-18-19	Within 1 year of the date of the engineer’s report on the water system, HVUS will comply with all recommendations in the engineer’s water report.	8.	On October 18, 2018, HVUS filed a Petition for Amendment seeking to modify this deadline. By Opinion and Order entered January 17, 2019, the Commission denied this Petition. HVUS filed a Petition for Review with the Commonwealth Court of Pennsylvania on February 19, 2019, asking the Court to modify the deadline. This appeal was quashed by order of May 15, 2019 and the matter was remanded for hearings. A hearing was held on May 20, 2020, briefs and reply briefs have been filed. With regard to the status of the water treatment plant project, see pages 2-3 above.
5-17-19	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on May 16, 2019.
6-30-19	HVUS will conduct another customer meeting.	5.b.	This meeting was held on June 8, 2019.
7-16-19	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on July 16, 2019.

Task to be completed on or before	Task	Source – Ordering Paragraph	Status
9-16-19	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on September 16, 2019.
11-15-19	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on November 15, 2019.
12-31-19	HVUS will conduct another customer meeting.	5.b.	This meeting was held on December 21, 2019.
12-31-19	HVUS will conduct a pressure survey in compliance with 52 Pa. Code § 65.6(d). HVUS shall install booster pumping stations if pressure is inadequate.	22.	HVUS conducted a pressure survey during 2019. Based on those results, HVUS will not install booster pumping stations.
1-14-20	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on January 14, 2020.
3-16-20	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on March 16, 2020.
5-15-20	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on May 15, 2020.
6-30-20	HVUS will conduct another customer meeting.	5.b.	HVUS filed a Petition requesting an extension of time to hold this meeting in person, but that Petition was denied. HVUS held a virtual customer meeting on July 15, 2020 due to the COVID-19 Pandemic. In addition, as discussed above, HVUS management is meeting on-site, bi-weekly with a subcommittee of the Board of Directors of the Hidden Valley Foundation, Inc. regarding the status of the water treatment plant project.

Task to be completed on or before	Task	Source – Ordering Paragraph	Status
7-14-20	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on July 14, 2020.
9-14-2020	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on September 14, 2020.
11-13-2020	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on November 13, 2020.
12-31-2020	HVUS will conduct another customer meeting.	5.b.	HVUS management met with customers via Zoom on November 18, 2020.
12-31-2020	HVUS will conduct a pressure survey in compliance with 52 Pa. Code § 65.6(d). HVUS shall install booster pumping stations if pressure is inadequate.	22.	HVUS conducted a pressure survey during May, 2020. Based on those results, HVUS will not install booster pumping stations.
1-12-2021	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	HVUS filed this status report on January 12, 2021
3-12-2021	HVUS will file a status report with the PUC, the OCA and TUS, on compliance with the May 3, 2018 order.	17.	This document is the required status report.
TBD	When HVUS complies with all ordering paragraphs, the Secretary’s Bureau will close the complaint proceedings.	27	