
Devin Ryan
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File #: 176642

October 20, 2021

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 JOINT APPLICATION OF THE YORK WATER COMPANY and SYC WWTP, L.P., a limited partnership of York County, Pennsylvania, Under Sections 1102(a)(1), 1102(a)(2), and 1102(a)(3) of the Public Utility Code, for (1) approval of the transfer by sale of certain public wastewater facilities and rights from SYC WWTP, L.P. to The York Water Company, (2) approval of the transfer by sale of wastewater collection facilities from Almony's Enterprise, LLC, Adhesives Research, Inc., Madison Range, Inc., Rodney L. Krebs, Rodney L. Krebs Family L.P., SCI/RLK Partners, and R.T. Barclay, Inc. to The York Water Company, (3) approval of the transfer by sale of wastewater collection facilities within Albright Trailer Park from R.T. Barclay, Inc. to The York Water Company, (4) the abandonment by SYC WWTP, L.P. of wastewater service to the public in Springfield and Shrewsbury Townships, York County, Pennsylvania, and (5) approval for The York Water Company to begin to offer, render, furnish or supply wastewater service in additional portions of Springfield and Shrewsbury Townships, York County, Pennsylvania
Docket Nos. A-2021-
A-2021-

Dear Secretary Chiavetta:

Enclosed for filing is a Joint Application of The York Water Company and SYC WWTP, L.P. in the above-referenced proceeding. The filing fee in the amount of \$350.00 will be provided at the time of the e-filing. Copies will be provided as indicated on the Certificate of Service.

Rosemary Chiavetta, Secretary
October 20, 2021
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Respectfully submitted,

A handwritten signature in blue ink, consisting of several overlapping, fluid strokes that form a cursive name, likely Devin Ryan.

Devin Ryan

DR/dc
Enclosures

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Joint Application of The York Water Company and SYC WWTP, L.P. has been served by certified mail, return receipt requested, upon the following:

York County Commissioners
One West Market Way
Fourth Floor
York, PA 17401

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Felicia Dell
York County Planning Commission
100 West Market Street
York, PA 17405

Office of Small Business Advocate
Commerce Building
300 North Second Street, Suite 1102
Harrisburg, PA 17101

Todd Zeigler
Shrewsbury Township Manager
11505 Susquehanna Trail South
Glen Rock, PA 17327

James B. Nilsen
Chairman
Springfield Township Board of Supervisors
9211 Susquehanna Trail South
Seven Valleys, PA 17360

Bureau of Investigation and Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265

Department of Environmental Protection
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Dated: October 20, 2021



Devin T. Ryan, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

IN THE MATTER OF THE JOINT :
APPLICATION OF THE YORK WATER :
COMPANY and SYC WWTP, L.P., a limited :
partnership of York County, Pennsylvania, Under :
Sections 1102(a)(1), 1102(a)(2), and 1102(a)(3) of :
the Public Utility Code, for (1) approval of the :
transfer by sale of certain public wastewater :
facilities and rights from SYC WWTP, L.P. to The :
York Water Company, (2) approval of the transfer :
by sale of wastewater collection facilities from :
Almony's Enterprise, LLC, Adhesives Research, :
Inc., Madison Range, Inc., Rodney L. Krebs, :
Rodney L. Krebs Family L.P., SCI/RLK Partners, :
and R.T. Barclay, Inc. to The York Water :
Company, (3) approval of the transfer by sale of :
wastewater collection facilities within Albright :
Trailer Park from R.T. Barclay, Inc. to The York :
Water Company, (4) the abandonment by SYC :
WWTP, L.P. of wastewater service to the public in :
Springfield and Shrewsbury Townships, York :
County, Pennsylvania, and (5) approval for The :
York Water Company to begin to offer, render, :
furnish or supply wastewater service in additional :
portions of Springfield and Shrewsbury :
Townships, York County, Pennsylvania :

Docket Nos. A-2021-_____
A-2021-_____

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. Name and Address of Applicants:

THE YORK WATER COMPANY
130 East Market Street
York, PA 17401

SYC WWTP, L.P.
D. Scott Weir, Manager
93 Hillside Dr.
Steamboat Springs, CO 80487

2. Name and Address of Applicants' Attorneys:

Michael W. Hassell, Esq.
Devin T. Ryan, Esq.
Post & Schell, P.C.
17 North Second Street – 12th Floor
Harrisburg, PA 17101-1601
For the York Water Company

Christopher M. Vedder, Esq.
Morris & Vedder, LLP
32 North Duke Street
P.O. Box 149
York, PA 17405
For SYC WWTP, L.P.

3(a). Brief Corporate History and Purpose:

Under Special Act of the Assembly of February 8, 1816, The York Water Company (“York Water” or the “Company”) was incorporated under the laws of the Commonwealth of Pennsylvania on February 23, 1816, for the purpose of supplying water in the Borough, now City of York, York County, Pennsylvania, and subsequent thereto duly extended its franchised territory from time to time so as to include the 51 municipalities in which water service and eight municipalities in which wastewater service is now being rendered as more fully set forth in Paragraph 4 hereof.

York Water has amended its Corporate Charter by filing its Articles of Amendment with the Pennsylvania Department of State on June 29, 1990 (#9033866 to 9033870) with Certificate of Amendment issued thereon on June 29, 1990, so as to consolidate into one description its chartered territory. A subsequent amendment was issued February 28, 1994, to include additional portions of Jackson, North Codorus, Lower Windsor and Hellam Townships, and East Prospect, Wrightsville and Abbottstown Boroughs, York County, Pennsylvania (Microfilm Numbers 09415.0349-0352). On May 20, 1996, York Water’s Articles of

Incorporation were restated and amended. The amended area added Jefferson Borough and portions of Codorus Township. On March 3, 1997, the Applicant filed Articles of Amendment to include the area encompassing the Boroughs of Glen Rock, Shrewsbury, New Freedom and Railroad, Shrewsbury Township and portions of North Hopewell and Hopewell Townships (Microfilm Numbers 09719.1725-1727).

On May 1, 2000, York Water's Articles of Incorporation were amended and restated (Microfilm Numbers 200035.389-392). The amended and restated Articles authorize the Company to provide wastewater service in the area that is the subject of this Application.

SYC WWTP, L.P. ("SYC"), utility code 2313427, was established as a limited partnership on September 14, 2010 for the purposes of succeeding to the operations of Exit II W.W.T.P., Inc. ("Exit II"). Exit II was incorporated on April 13, 1994, for the purpose of providing wastewater utility service to an industrial park located in Springfield and Shrewsbury Townships in York County, and to customers located outside the industrial park that Exit II has sufficient capacity to serve and who interconnect with Exit II's facilities inside the industrial park.¹ On August 1, 2011, the Commission: (1) entered an Order, *inter alia*, granting SYC's and Exit II's joint application for SYC to provide wastewater service in the area formerly served by Exit II; and (2) issued a Certificate of Public Convenience evidencing the Commission's approval. *See Joint Application of Exit II WWTP, Inc. and SYC WWTP, L.P. for Approval of a Certificate of Public Convenience to Transfer by Merger the Wastewater Service Assets of Exit II WWTP, Inc. into SYC*

¹ On February 9, 1995, the Pennsylvania Public Utility Commission ("Commission") issued a Certificate of Public Convenience, evidencing its approval of Exit II's application to furnish sanitary sewage collection and disposal service to the public in portions of Springfield and Shrewsbury Townships, York County, Pennsylvania. *See* Certificate of Public Convenience, Docket No. A-230044 (Feb. 9, 1995); *Application of Exit II W.W.T.P., Inc., for Approval of the Right to Begin to Offer or Furnish Sanitary Sewage Collection and Disposal Service to the Public in the Exit #2 Industrial Park in Springfield and Shrewsbury Townships, York County*, Docket No. A-230044 (Order entered Feb. 9, 1995). The Commission subsequently approved Exit II's proposed wastewater service tariff by its Order entered May 12, 1995 at Docket No. A-230044.

WWTP, L.P., Docket No. A-2011-2236807 (Order entered Aug. 1, 2011) (“SYC Application”); Certificate of Public Convenience, Docket No. A-2011-2236807 (Aug. 1, 2011). As a result, SYC adopted Exit II’s wastewater service tariff.

3(b). Description of Service Furnished to the Public:

York Water now furnishes a supply of water to the public in the major portion of its franchised territory as hereinafter specified in Paragraph 4 hereof and wastewater service to portions of its franchised wastewater territory as hereinafter specified in Paragraph 4 hereof.

SYC currently provides wastewater service to the public in portions of Springfield and Shrewsbury Townships in York County, as hereinafter specified in Paragraph 5 hereof.

3(c). Amount of Stock and Bonds Issued by York Water:

York Water has authorized, issued and outstanding as of December 31, 2020, 13,060,817 shares of Common Stock, with no stated par value. York Water has in force and effect an Optional Dividend Reinvestment and Direct Stock Purchase and Sale Plan, an Employee Stock Purchase Plan, and a Long-Term Incentive Plan.

There are also outstanding as of December 31, 2020, the following Senior Notes, Industrial Development Authority Revenue Bonds, and Pennsylvania Economic Development Financing Authority Exempt Facilities Revenue Refunding Bonds as follows:

8.43% Senior Notes, Series D, due 2022 (Securities Certificate No. S-920287 of 1992)	7,500,000
3.00% Pennsylvania Economic Development Financing Authority Exempt Facilities Revenue Bonds Series A of 2019, due 2036 (Securities Certificate No. S-2019-3011066 of 2019)	10,500,000
Variable Rate Exempt Facilities Revenue Refunding Bonds, Series 2008A, due 2029 (Securities Certificate No. S-00041015 of 2004)	12,000,000

3.10% Pennsylvania Economic Development Financing Authority Exempt Facilities Revenue Refunding Bonds, Series B of 2019, due 2038 (Securities Certificate No. S-2019-3011066 of 2019)	14,870,000
3.23% Senior Notes, due 2040 (Securities Certificate No. S-2019-3011035 of 2019)	15,000,000
4.00% - 4.50% York County Industrial Development Authority Exempt Facilities Revenue Bonds, Series 2015, due 2029 – 2045 (Securities Certificate No. S-2014-2405684 of 2014)	10,000,000
4.54% Senior Notes, due 2049 (Securities Certificate No. S-2018-3006371 of 2018)	20,000,000
3.24% Senior Notes, due 2020 (Securities Certificate No. S-2020-3020763 of 2020)	30,000,000

4. Location of Existing Service Area of York Water:

York Water is now furnishing water service to the public in the major portion of its franchised territory, which contains all or portions of 51 municipalities for water service. In addition, York Water is now furnishing wastewater service to the public in portions of six municipalities and Boroughs in York County, a portion of one township in Adams County, and one township in Franklin County.

The water community served has an estimated population of approximately 201,000 as of December 31, 2020, with water furnished to 69,401 customers as of December 31, 2020. Of these there were 4,905 metered commercial (including apartment complexes) and industrial customers, 63,122 metered residential customers and 1,374 public and private fire protection customers. The wastewater community served has an estimated population of approximately

15,000 as of December 31, 2020, with wastewater service furnished to 3,280 customers as of December 31, 2020.

All such water and wastewater service rendered to the public has been approved by virtue of the authority granted initially in York Water's Charter by Special Act of Assembly of February 8, 1816, and at various times subsequently by Certificates of Public Convenience duly granted by the Pennsylvania Public Service Commission and by the Commission under The Public Service Company Law, Public Utility Law or Public Utility Code of Pennsylvania.

5. Proposed Acquisition and Expansion of Service Territory:

Through this Application, York Water seeks Commission approval of, among other things: (1) its acquisition of three connected wastewater systems; and (2) the expansion of the Company's wastewater service territory to include additional portions of Shrewsbury and Springfield Townships, so that York Water can provide wastewater service to the customers currently served by those three wastewater systems.

A. SYC System

York Water proposes to acquire SYC's existing wastewater collection and treatment system in Shrewsbury and Springfield Townships, York County, Pennsylvania. SYC currently serves approximately 11 commercial wastewater customers, nine industrial wastewater customers, and one residential wastewater customer, all within the municipal limits of Shrewsbury and Springfield Townships.² As noted in Paragraph 3(a), *supra*, SYC is certificated by the Commission to provide public wastewater service in portions of Shrewsbury and Springfield Townships. The owners of SYC have determined that it is in the best interest of its current

² York Water notes that these current customer counts differ from Attachment A to Schedule 5.2 of the SYC Amended and Restated Agreement of Sale (Exhibit "K-1") due to updated information.

customers to sell the wastewater system to a company that has more experience in dealing with utility service as well as the regulatory requirements associated with providing such service. York Water is certificated to provide public water in the territory which is the subject of this Application.

The purpose of this proposed acquisition of SYC's wastewater assets and expansion of York Water's service territory is to enable York Water to serve wastewater customers in portions of Springfield and Shrewsbury Townships, York County, who are currently served by SYC. SYC provides wastewater service to its commercial, industrial, and residential wastewater customers pursuant to its Commission-approved wastewater service tariff, a copy of which is attached hereto as Exhibit "P-1".³

York Water has entered into an Agreement with SYC dated October 8, 2013, Amended and Restated July 24, 2020, to purchase the SYC wastewater collection and treatment system ("SYC System"). A copy of the October 8, 2013 Agreement and the July 24, 2020 Amended and Restated Agreement are attached hereto as Exhibit "K" and Exhibit "K-1," respectively. The July 24, 2020 Amended and Restated Agreement describes the wastewater assets that York Water will acquire from SYC.

B. North System

York Water also has entered into an Agreement dated April 29, 2021, with: (1) Almony's Enterprise, LLC ("Almony's"); (2) Adhesives Research, Inc. ("Adhesives Research"); (3) Madison Range, Inc., Rodney L. Krebs, Rodney L. Krebs Family L.P., and SCI/RLK Partners (collectively, "Madison Range"); and (4) R.T. Barclay, Inc. d/b/a Albright Trailer Park ("Albright"), to acquire certain wastewater collection facilities owned by those entities ("North System Acquisition Agreement"). Almony's, Adhesives Research, Madison Range, and Albright

³ As stated previously, SYC adopted Exit II's wastewater service tariff at Docket No. A-2011-2236807.

entered into a Cost Sharing Agreement dated November 13, 1995, pursuant to which those parties extended wastewater collection facilities (“North System”) from the SYC wastewater treatment plant to provide wastewater treatment service for their properties. Almony’s, Adhesives Research, Madison Range, and Albright own and operate the North System, not SYC. The North System is not certificated by the Commission and does not provide wastewater service to the public for compensation. The owners of the North System currently pay SYC for wastewater service in accordance with SYC’s Commission-approved tariff. Under the North System Acquisition Agreement, York Water has agreed to purchase the North System for \$1.00. A copy of the North System Acquisition Agreement is attached hereto as Exhibit “K-2”.

C. Albright System

Further, York Water has entered into a separate Agreement with Albright dated July 1, 2020, to purchase the water distribution and wastewater collection systems owned and operated by Albright within the Albright Trailer Park. Under the Albright System Acquisition Agreement, York Water has agreed to purchase these systems for \$1.00. Hereinafter, Albright’s wastewater collection system shall be referred to as the “Albright System.” The Albright System is not certificated by the Commission and does not provide wastewater service to the public for compensation. A copy of the Albright System Acquisition Agreement is attached hereto as Exhibit “K-4”.⁴ York Water and Albright also entered into a Permanent Utility and Access Easement Agreement on July 1, 2020, under which Albright has granted York Water a permanent utility easement in exchange for York Water’s payment of \$1.00. A copy of the Permanent Utility and Access Easement Agreement is attached hereto as Exhibit “K-5”.

⁴ York Water will be filing a separate Application for Commission approval of the acquisition of Albright’s water distribution system within the Albright Trailer Park.

York Water will begin providing service to the public five days after the date of closing. Closing of the three transactions is contingent upon York Water obtaining Commission approval of the acquisitions

Following consummation of the acquisitions, SYC will cease providing public wastewater service. Accordingly, as part of this Application, SYC requests approval to abandon its right and obligation to provide wastewater service in portions of Springfield and Shrewsbury Townships.

6. Additional Capital Requirements:

York Water's capital requirements for the acquisition consist of the purchase price of Three Hundred Sixty-Five Thousand dollars (\$365,000) for the SYC System, as stated in Exhibit "K", and Sixty Thousand dollars (\$60,000) for the installation of Supervisory Control and Data Acquisition ("SCADA") equipment and other costs associated with the acquisition of SYC. The estimated total cost of \$395,000 ($\$365,000 + \$60,000 = \$425,000$) will be financed by internally generated funds, proceeds from the issuance of common stock under York Water's dividend reinvestment and employee stock purchase plans, and, initially, through borrowings against York Water's lines of credit. The estimated total cost of \$395,000 includes, but does not specifically list, the nominal \$1.00 purchase prices for the North System and Albright System.

York Water does not seek through this Application to allocate a portion of the revenue requirement of the SYC System, North System, or Albright System to its water customers under 66 Pa. C.S. § 1311(c), and the Company has made no determination at this time whether such an allocation may be necessary in the future. The Company will not seek to obtain approval for any such allocation until its next base rate proceeding. Should the Company determine to propose an allocation at the time of its next base rate proceeding, York Water will provide notice

to both water and wastewater customers of its intention to allocate a portion of the revenue requirement, and such notice will be provided consistent with the requirements identified in the Pennsylvania Public Utility Code and the Commission's regulations.

7. Plant in Service and Plant to be Acquired:

Attached as Exhibit "A" is a summary, by major plant category, of used and useful plant in service of York Water as of December 31, 2020.

Exhibit "B" is a balance sheet of York Water as of December 31, 2020, which provides the capitalization of the Company.

York Water will acquire the SYC System, North System, and Albright System. These systems include all of the physical plant, property, and equipment. Additionally, York Water will acquire the real estate, easements, rights-of-way, improvements, personal property, fixtures, and equipment of SYC. Exhibit "D-1" attached hereto contains a detailed inventory of the assets that York Water will acquire as part of the SYC System, North System, and Albright System transactions.

York Water will perform an original cost study for the purchase of the SYC System, North System, and Albright System. A more detailed listing and description of assets will be provided when the original cost study is completed and submitted.

The tentative journal entries for booking the purchase of SYC System, North System, and Albright System are shown in the tables below. The numbers in journal entry 2, including the amount of any acquisition adjustment, are approximates and cannot be confirmed until the final original cost study has been completed. Notwithstanding, York Water notes that it conducted a full video and telemetry assessment of the entire North System. The study revealed significant structural defects in the North System, which result in considerable inflow and

infiltration (“I&I”). High flows attributed to I&I subsequently strain the treatment capacity and degrade the operational longevity of the SYC wastewater treatment plant. These serious deficiencies significantly degrade the overall capacity of the system and are a matter of substantial public concern. Following acquisition, York Water will undertake repairs and replacements as appropriate to reduce I&I.

A. Record Purchase of System

Account No.	Account Description	Debit	Credit
105	Construction Work in Process	\$365,001	
131	Cash		\$365,001

B. Close Project to Utility Plant

Account No.	Account Description	Debit	Credit
101	Utility Plant in Service	\$1,200,001	
108	Accumulated Depreciation		\$673,000
114	Utility Plant Acquisition Adj.		\$162,000
105	Construction Work in Process (Purchase price + other acquisition costs)		\$365,001

C. Record Other Project Costs

Account No.	Account Description	Debit	Credit
105	Construction Work in Process	\$60,000	
224	Line of Credit Borrowings (SCADA)		\$60,000

D. Close Projects to Utility Plant

Account No.	Account Description	Debit	Credit
101	Utility Plant in Service	\$60,000	
105	Construction Work in Process (SCADA)		\$60,000

8. Map of Preexisting Service Area:

Attached as Exhibit “D” is a map showing the existing SYC wastewater service

territory. York Water proposes to expand the public wastewater service territory of SYC as part of this acquisition.

SYC currently provides wastewater service to eight customers that are served off the North System, which is privately owned by Almony's, Adhesives Research, Madison Range, and Albright and extends outside of SYC's certificated service territory. Although these customers are located outside of SYC's certificated service territory, their point of interconnect with SYC's wastewater system is located within the certificated service territory. SYC's provision of wastewater service to these customers, through points of interconnect in the certificated service territory, was noted in the *SYC Application* proceeding. *See* Joint Application, Docket Nos. A-2011-2236807, *et al.*, p. 7 (Apr. 15, 2011). The location of this customer-owned main (the North System) is identified on Exhibit "D".

As part of the SYC System acquisition process, York Water entered into negotiations with the customers who owned the North System. As stated previously, York Water entered into the North System Acquisition Agreement, which will transfer ownership of the North System to York Water for a nominal payment of \$1.00. *See* Exhibit "K-2". Due to that agreement, York Water seeks to expand the wastewater service territory to include the area beyond the current certificated territory of SYC where these customers are located. Therefore, after the acquisition, each of the customers will have a separate point of interconnect with York Water's wastewater system in the expanded wastewater service territory, as opposed to their current point of interconnect being the North System's main's connection to the SYC System. York Water also notes that it is already certificated to provide water service to this area and currently provides water service to the customers that receive wastewater service from the North System.

One of the customers who owns the North System, Adhesives Research, has

indicated its desire to have contiguous, undeveloped parcels also included in York Water's proposed certificated territory. Adhesives Research has indicated that although the parcels are currently undeveloped, it is the company's desire to apply to York Water for wastewater service in the future (Exhibit "J-3"). These additional parcels are identified on Exhibit "J-2" and lie within York Water's certificated water service territory. York Water sought and obtained planning consistency determinations from York County and Springfield Townships, which are attached as Exhibit "J". York Water also previously obtained consistency letters from the York County Planning Commission and Springfield Township in 2014, which are attached as Exhibit "J-A". The Shrewsbury Township consistency letter obtained in 2013 is found in Exhibit "J-1". York Water considered the comments of the York County Planning Commission, and the Company's proposed wastewater service territory falls within the Secondary Growth area delineated by York County.

Further, as explained previously, York Water reached a separate agreement with Albright to purchase the Albright System for a nominal payment of \$1.00. *See* Exhibit "K-4". York Water provides water service to the Albright Trailer Park through a single point meter, as described in Rules 4.2 and 4.3 of York Water's Commission-approved water service tariff, at the service address 10846 Susquehanna Trail S., Glen Rock, PA 17327. Albright is a wastewater customer of SYC, as described in SYC's Commission-approved wastewater service tariff, and receives wastewater service at the same service address.

Springfield Township, Shrewsbury Township, and York County Planning Commission are all in agreement on the existing territory as shown in Exhibit "D". The metes and bounds description of the four-hundred ninety-three (493) acre wastewater territory is included as Exhibit "E". The wastewater treatment plant has the required capacity to service all existing

customers in the current service territory; however, if increased capacity is required, all potential developers will be responsible for the plant expansion.

Exhibit “D” is a map showing the general location of the major facilities currently owned by SYC, as described in Paragraph 7, above.

9. Future Capacity:

The SYC wastewater treatment plant currently serves industrial, commercial, and residential customers. The design capacity of the wastewater treatment plant is 80,000 gallons per day (“GPD”). For the purpose of determining plant capacity and growth projections, one Equivalent Dwelling Unit (“EDU”) equals 350 GPD of sewage. Therefore, the wastewater treatment plant has a design capacity of approximately 228 EDUs. Currently, 119 EDUs of capacity are in service, with an additional 28 EDUs reserved but not connected to the SYC wastewater system. York Water will apply a reservation charge for the 28 reserved EDUs, as stated in York Water’s proposed *pro forma* tariff supplement incorporating SYC’s wastewater tariff provisions applicable to SYC’s customers. A copy of the proposed *pro forma* tariff supplement is attached hereto as Exhibit “P”.

At build-out, the proposed wastewater service territory is anticipated to increase to approximately 12 commercial, 18 industrial, and 46 residential customers, with approximately 200 EDUs of capacity in-service in the future. The current system capacity of 80,000 GPD exceeds current average demand of 27,000 GPD. Exhibit “H” is a table showing current and projected customer and treatment data for the next 20 years. Any additional capacity requirements will be provided by the developers that create the demand, consistent with York Water’s wastewater tariff provisions. There are currently no known developers proposing additional demand in SYC’s existing service territory and the proposed expanded wastewater service territory.

10. Rates for Service:

The structure of the rates proposed by York Water will be different from the rates currently being charged to SYC customers, although the total amount paid on a monthly basis will be substantially identical. SYC currently charges rates on a quarterly basis as follows: \$335.55/quarter plus \$15.44/1,000 gallons above 350 GPD in the quarterly billing period. Usage is based upon metered water usage provided to SYC by York Water. Since York Water bills on a monthly basis, York Water proposes rates for commercial and industrial customers as follows: \$112/month plus \$15.44/1,000 gallons above 10,500 gallons in the monthly billing period. The 10,500 gallon per month baseline amount is consistent with SYC's 350 gallon per day baseline. For residential customers, York Water will charge a metered rate (based on water consumption) per EDU of \$40.00 per month for the first 3,000 gallons plus \$5.00 per 1,000 gallons over 3,000 gallons. Annual revenue and expense projections are included in Exhibit "N".

11. Profit and Loss Statement:

Attached as Exhibit "C" is a Statement of Income of York Water for the twelve months ended December 31, 2020.

12. Compliance with DEP Requirements:

York Water is the permittee for the SYC National Pollutant Discharge Elimination System permit. A copy of the permit is attached as Exhibit "Q". York Water has been in contact with the Pennsylvania Department of Environmental Protection and conducted a five-year compliance review to determine if SYC or York Water as current permittee is in current violation or has had previous violations attributed to SYC System. York Water is not aware of any compliance violations with the system. The Company is not required to comply with 25 Pa. Code § 109.503(a)(3), and no business plan is required.

13. No Competitive Condition:

No corporation, partnership or individual is now furnishing or has corporate or franchise rights to furnish service similar to that to be rendered by York Water in the territory covered by this Application, other than SYC, and no competitive condition will be created by the acquisition. No other entities providing wastewater service are located within one mile of the service territory.

14. Facilities for Furnishing Service:

York Water will employ the facilities acquired from SYC, Almony's, Adhesives Research, Madison Range, and Albright to furnish wastewater service to customers in the proposed expanded wastewater service territory. The facilities have sufficient capacity to provide service to all existing and anticipated customers within the existing service area.

15. Approval's Necessity and Propriety:

Approval of the Application is necessary and proper for the service, accommodation, convenience and safety of the public and is in the public interest for the following reasons:

(a) The individual parties in interest of SYC desire to withdraw from the wastewater treatment business due to the regulatory requirements necessary to continue to provide service, and the difficulties in maintaining a viable wastewater treatment and collection system for such a small number of customers;

(b) York Water will bring significant resources to the SYC System, North System, and Albright System to keep them in compliance with existing and proposed regulatory requirements;

(c) York Water will bring significant resources to reduce the considerable I&I on the North System, which continues to strain the SYC wastewater treatment plant's treatment capacity and degrade the plant's operational longevity;

(d) York Water currently provides water service to SYC customers and the surrounding area, and so is familiar with the community; and


(e) The Commission encourages utilities, such as York Water, to acquire small wastewater systems, such as the SYC System, North System, and Albright System. *See* 52 Pa. Code § 69.711.

16. Notification to Customers:

Prior to the filing of this Application, York Water notified the customers of SYC of the filing of this Application and the Company's intent to modify SYC's existing quarterly rates to monthly rates for wastewater service. A copy of the notices sent to SYC's customers, during 2013 and 2021, are attached to this Application as Exhibit "M" and Exhibit "M-1", respectively. The residents in Albright Trailer Park also received notification of the acquisition and proposed rate structure. A copy of that notification is attached as Exhibit "M-2".

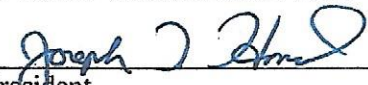
WHEREFORE, York Water and SYC respectfully request that the Pennsylvania Public Utility Commission issue a Certificate of Public Convenience under the provisions of Sections 1102(a)(2) and 1102(a)(3) of the Public Utility Code evidencing the Commission's approval for: (1) York Water to acquire the SYC System; (2) York Water to acquire the North System; (3) York Water to acquire the Albright System; (4) York Water to expand its wastewater service territory to cover additional portions of Springfield and Shrewsbury Townships, York County; and (5) SYC to abandon its right and obligation to provide wastewater service in portions of Springfield and Shrewsbury Townships, York County.

ATTEST:



Secretary

THE YORK WATER COMPANY

By 


President

By 

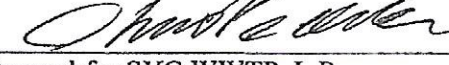
Counsel for THE YORK WATER COMPANY

ATTEST:

Secretary

SYC WWTP, L.P.
By 

President *MANAGER OF #*

By 

Counsel for SYC WWTP, L.P.
Christopher M. Vedder, Esq.

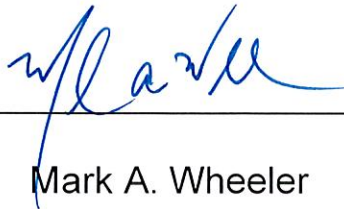
** SYC WWTP GP, L.L.C.,
Sole General Partner*

VERIFICATION

I, Mark A. Wheeler, being Chief Operating Officer at The York Water Company, hereby state that the facts above set forth 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: October 8, 2021



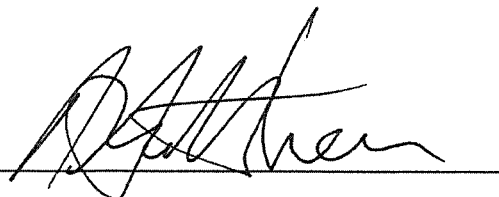
Mark A. Wheeler

VERIFICATION

I, D. Scott Weir, being the Manager of SYC WWTP, GP L.L.C., the sole general partner of SYC WWTP, L.P. and being authorized to do so, hereby state that the facts above set forth 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: October 15, 2021

A handwritten signature in black ink, appearing to read "D. Scott Weir", is written over a solid horizontal line.

D. Scott Weir