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January 12, 2022

**Via Electronic Filing**

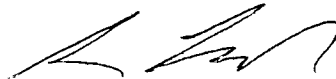
Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

Re: Conyngham Township v. Sanitary Sewer Authority of the Borough of  
Shickshinny  
Docket No. C-2021-3023624

Dear Secretary Chiavetta:

Enclosed for filing is Joint Stipulation of Facts in the above-referenced proceedings.  
Copies will be provided as indicated on the Certificate of Service.

Very Truly Yours,



Sean W. Logsdon, Esquire

SWL:

Cc: Sanitary Sewer Authority of the Borough of Shickshinny  
Vito J. DeLuca, Esquire (Via Electronic means)  
Stephanie M. Wimer, Esquire (Via Electronic means)

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**COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**In the Matter of:**

<b>CONYNGHAM TOWNSHIP,</b>	:	
	:	
<b>Complainant</b>	:	
	:	
v.	:	<b>COMPLAINT DOCKET</b>
	:	<b>NO. C-2021-3023624</b>
<b>SANITARY SEWER AUTHORITY OF THE BOROUGH OF SHICKSHINNY,</b>	:	
	:	
<b>Respondent</b>	:	
	:	

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that this day I served a copy of the foregoing Joint Stipulations of Fact upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

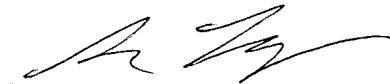
Via Email Only to:

Vito J. DeLuca, Esquire  
DeLuca Law Offices  
26 Pierce Street  
Kingston, PA 18704  
[vj@delucalawoffices.com](mailto:vj@delucalawoffices.com)

Via Email Only to:

Stephanie M. Wimer, Esquire  
PA Public Utility Commission  
Bureau of Investigation & Enforcement  
P.O. Box 3265  
Harrisburg, PA 17120  
[stwimer@pa.gov](mailto:stwimer@pa.gov)

Date: January 12, 2022



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Sean W. Logsdon, Esquire  
Attorney for Sanitary Sewer  
Authority of the Borough of  
Shickshinny

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Conyngham Township	:	
	:	
v.	:	Docket No. C-2021-3023624
	:	
Sanitary Sewer Authority of the Borough of Shickshinny	:	

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**JOINT STIPULATION OF FACTS**

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Pursuant to the Fourth Interim Order for Litigation Schedule and Prehearing Matters dated October 15, 2021 of presiding Administrative Law Judge (“ALJ”) Conrad A. Johnson, the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), Conyngham Township (“Township”) and the Sanitary Sewer Authority of the Borough of Shickshinny (“Authority”), by their undersigned attorneys, agree and stipulate to the following facts regarding the above-captioned matter.

**STIPULATION OF FACTS**

1. The Department of Environmental Resources, now the Pennsylvania Department of Environmental Protection (“DEP”), ordered the Township to join with the Borough of Shickshinny to undergo a project of preservation and improvement of the purity of the waters of the Commonwealth pursuant to the provisions of the Clean Streams Law (“Preservation Project”).
2. The Township, on May 7, 1973, passed a joint resolution with the Borough of Shickshinny to undertake the Preservation Project.
3. The Township employed an engineering firm to undertake and recommend a

site for the processing plant and incorporated the Conyngham Township Sewer Authority (“CTSA”) to undertake the Preservation Project.

4. The Township passed a resolution finding the site recommended in its feasibility study acceptable for the erection of a processing plant for the purpose as ordered by the Commonwealth of Pennsylvania.

5. The Authority was formed on September 25, 1973 as a municipal authority for the purpose of constructing, improving, furnishing and equipping a sanitary sewage system and treatment works, to acquire land necessary to effectuate this purpose and to perform any necessary items incidental to this purpose.

6. The general scope of the Authority’s activities includes, but is not limited to, providing treatment of domestic wastewater and discharging the treated wastewater to the Susquehanna River in accordance with a permit issue by DEP.

7. The sole municipality that joined the Authority is the municipality that formed it, which is the Borough of Shickshinny.

8. The sewer lines located in the Township are owned and maintained by the CTSA, and those lines convey sewage to the Authority’s processing plant located on property owned by the Authority located in the Township.

9. The Authority provides sewage treatment service to the Borough of Shickshinny and a portion of the Township, among other areas.

10. The Authority and the Township entered into a Sewage Treatment Agreement on November 18, 1992 wherein the Authority agreed to provide sewage treatment and

disposal services to the Township as a single bulk customer (“Sewage Treatment Agreement”). A copy of the Sewage Treatment Agreement will be entered as Joint Exhibit A.

11. By letter dated September 11, 2020, the Authority notified the Township that it was cancelling the Sewage Treatment Agreement. A copy of the September 11, 2020 letter will be entered as Joint Exhibit B.

12. Prior to the termination of the bulk services agreement, CTSA was charging its ratepayers/customers located in the Township a rate of \$134.00 per EDU per quarter.

13. On January 1, 2021, April 1, 2021, and July 1, 2021, the Authority sent a quarterly invoice directly to ratepayers/customers located in the Township a rate of \$75.00 per quarter.

14. There are approximately 220 residential customers and eight commercial customers located in the Township.

15. From January 1, 2021 to September 23, 2021, the Authority collected an approximate total of \$54,684.68 from ratepayers located in the Township.

16. From January 1, 2021 to the first calendar year quarter of 2022, CTSA has been billing its ratepayers/customers located in the Township at the reduced rate of \$59.00 per EDU per quarter.

17. Because of the PUC intervention, the Authority did not invoice customers located in the Township for the fourth calendar year quarter of 2021.

18. The Authority did not invoice customers located in the Township for the first calendar year quarter of 2022.

19. The Authority has continually provided sewage processing and disposal service to Township residents and customers from the onset of the agreement to the present.

20. Neither the CTSA nor any individual ratepayer or customer has paid for the sewage processing or disposal service provided by the Authority since September 1, 2021.

21. The Authority has no control over who sells or leases properties in the Township.

As agreed on this 12<sup>th</sup> day of January 2022:




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Stephanie M. Wimer, Esq.  
Senior Prosecutor  
Bureau of Investigation and Enforcement



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Vito J. DeLuca, Esq.  
*Counsel for  
Coryngham Township*



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Sean W. Logsdon, Esq.  
*Counsel for the Sanitary Sewer  
Authority of the Borough of Shickshinny*