
Devin Ryan
Principal

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File #: 192112

March 14, 2022

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: Application of The York Water Company for approval of the rights to: (1) acquire certain wastewater system assets from the Country View Manor Community, LLC; and (2) offer, render, furnish and supply wastewater service to the public in a portion of Washington Township, York County
Docket No. A-2021-3030076

Dear Secretary Chiavetta:

Attached for filing are The York Water Company's ("York Water") Responses to the Data Requests of the Pennsylvania Public Utility Commission's Bureau of Technical Utility Services ("TUS") Set I, in the above-referenced proceeding.

A copy of this filing is also being sent to Paul Zander, as noted below.

Respectfully,



Devin Ryan
Principal

DR/dmc
Attachment

cc: Paul Zander (*via e-mail*)

TUS Data Request Set 1

Application of The York Water Company – Wastewater for approval of the rights to: (1) acquire certain wastewater system assets from Country View Manor Community, LLC; and (2) offer, render, furnish and supply wastewater service to the public in a portion of Washington

Township, York County
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DISCOVERY A-1

- A-1. Please verify that Country View Manor Community, LLC's (Country View's) wastewater collection, conveyance, treatment, and disposal facilities (collectively, the Wastewater System) have adequate wastewater collection, conveyance, treatment, and disposal capacity to meet present and future customer demands (Adequate Capacity), or provide the following information:
- a. A description of additional facilities needed to provide Adequate Capacity and the timing in which these facilities will be constructed;
 - b. A breakdown of the cost of construction, by major plant category, of additional facilities needed to attain Adequate Capacity;
 - c. A breakdown of the anticipated sources of funding (i.e., debt or equity) to be used to fund the construction of additional facilities needed to attain Adequate Capacity; and
 - d. A statement that, upon construction of additional facilities, the Wastewater System will have Adequate Capacity.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

- a. There are no additional facilities necessary to provide adequate capacity. The wastewater system has adequate capacity for existing customer demands within the proposed certificated territory.
- b. Not applicable. See answer to subpart (a).
- c. Not applicable. See answer to subpart (a).
- d. The current wastewater system has adequate capacity for existing customer demands within the proposed certificated territory. See answer to subpart (a).

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DISCOVERY A-2

A-2. The Application’s Section 5 included a footnote indicating that Country View charges one customer located on an adjoining parcel (Additional Customer) \$350 per year for wastewater service. Please provide a copy of a contract, bill, or similar evidence demonstrating that Country View’s current rate for wastewater service for the Additional Customer is \$350 per year.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

Country View Manor Community, LLC (“Country View”), which is the current owner of the Country View Wastewater System, does not have a contract, bill, or similar evidence, as requested. Country View acquired the Wastewater System in September 2019 and was not aware at the time of closing that the Additional Customer was connected to the System. The Additional Customer contacted Country View in April 2020 and communicated that they have been paying \$350.00 each May for annual wastewater service. Country View honored that rate. Payments via check for \$350.00 were received by Country View on May 18, 2020, and May 1, 2021.

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DISCOVERY A-3

A-3. Please clarify whether Country View charges the Additional Customer for wastewater service in advance or in arrears. Also, if Country View charges the Additional Customer for wastewater service in advance, confirm that the Additional Customer will receive an account credit, refund, or equivalent compensation from York Water-WW or Country View for any period after closing that the Additional Customer paid Country View for wastewater service.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

Country View informed York Water that it does not know whether the Additional Customer is paying in advance or arrears. Country View is honoring the prior arrangement for the Additional Customer and has not asked if the payment is in advance or arrears.

If the Company's Application is approved and the Additional Customer is entitled to a refund or credit, Country View will be responsible for that refund or credit pursuant to Section 4.4 of the Asset Purchase Agreement (CONFIDENTIAL Exhibit I of the Application).

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DISCOVERY A-4

A-4. The Application's Section 7 and Exhibit I - Description and Inventory of Assets, did not clearly identify the quantity, size, length, and material type of Country View's collection facilities. Please separately identify the diameter, length, and material type of service laterals being acquired or state that no service laterals are being acquired.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

Country View is unable to provide a detailed inventory of assets that includes quantity, length, diameter, and material of collection facilities. The same asset information pertaining to the service laterals is unavailable.

If the Company's Application is approved, York Water will complete a detailed inventory of all assets as part of its original cost study.

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DISCOVERY A-5

- A-5. The Application’s Section 7 included tentative journal entries for booking the purchase of the Wastewater System which appear to indicate that the transaction is expected to result in a \$33,750 credit (i.e., reduction) to Account No. 105 - Construction Work In Progress. Also, the Application’s Section 7 included tentative journal entries for an apparent additional \$30,000 investment in wastewater SCADA facilities. Please provide responses for each of the following:
- a. Reconfirm York Water-WW’s tentative journal entries for booking the purchase of the Wastewater System;
 - b. Provide descriptions of any assets included in Account No. 105 and provide a breakdown of the anticipated sources of funding (i.e., debt or equity) to be used to fund these assets;
 - c. Reconfirm the amount York-WW intends to invest in wastewater SCADA facilities and provide a breakdown of the anticipated sources of funding (i.e., debt or equity) to be used to fund these assets; and
 - d. Explain why York Water-WW considers assets related to the \$33,750 credit to be construction work in progress.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

- a. The Company is reconfirming the tentative journal entries included in the Application. If the Company’s Application is approved, York Water will complete an original cost study to properly record the purchase of the Wastewater System.
- b. The Company has historically recorded acquisition costs in Account No. 105 - Construction Work in Progress until after the Closing. The \$33,750 represents an estimate of legal fees and associated potential costs to complete the transaction.

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- c. The Company is reconfirming that it intends to invest approximately \$30,000 (tentative journal entries) in the wastewater SCADA facilities. Given the de minimis amount, the Company believes funding will occur through operational cash flow.
- d. The Company has historically recorded acquisition costs in Account No. 105 - Construction Work in Progress until after the Closing.

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DISCOVERY A-6

A-6. The Application's Section 7 stated the Wastewater System includes a 0.0125 million gallon per day (MGD) wastewater treatment plant (WWTP). However, it is unclear whether 0.0125 MGD represents the WWTP's design capacity, permitted capacity, or both. Please confirm that the WWTP's design and permitted capacities are both 0.0125 MGD or separately quantify the WWTP's design and permitted capacities.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

Country View is unable to provide design documents for the WWTP. The original planning document indicates the facility's capacity is 0.0125 MGD, and the current NPDES permit is for a capacity of 0.0125 MGD.

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DISCOVERY A-7

A-7. The Application’s Exhibits J and J-1 include copies of responses from the York County Planning Commission and Washington Township regarding the Application’s consistency with applicable comprehensive plans and zoning ordinances. However, a map included in Exhibit J does not conform with York Water-WW’s requested service territory, provided in the Application’s Exhibits D and E, that includes a separate parcel of land to the south where the Additional Customer is located. Please provide evidence that York Water-WW’s requested territory, that includes the land parcel where the Additional Customer is located, conforms with applicable comprehensive plans and zoning ordinances.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

The point of connection for this separate parcel falls within the mobile home park community and, therefore, within the highlighted in the map attached to York County Planning Commission’s response letter (Exhibit J). Because the point of connection was within that highlighted area, the Company believes that the York County Planning Commission’s consistency letter does not need to be updated.

Notwithstanding, York Water has contacted the York County Planning Commission, and they have confirmed that the Company’s requested service territory, including Parcel ID Number 50000JD0024A0, conforms with applicable comprehensive plans and zoning ordinances.

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DISCOVERY A-8

A-8. The Application’s Exhibit N includes estimated annual revenue and expense figures based on rates that do not appear to match those indicated in York Water-WW’s *pro forma* tariff supplement provided in the Application’s Exhibit P. Please amend the Application’s Exhibit N to conform with the rates included in the *pro forma* tariff supplement.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

A revised Exhibit N is attached.

EXHIBIT "N" Revised

Estimated Annual Revenue and Expense Figures for the Proposed, Additional Customers

Projected annual revenue is based upon an average water consumption of 4,000 gallons per month for the number of customers connected.

Monthly Customer Charge	\$ 45.00
	<u>X 53</u>
Monthly Revenue	\$ 2,385
Monthly Revenue	\$ 2,385
	<u>X 12</u>
Total Annual Revenue	\$ 28,620

Estimated expenses are calculated based on the Company's latest cost of service study performed with the latest rate filing effective March 1, 2019. The Company expects the expenses for the new Countryview Manor Wastewater customers to mirror those of the current system.

O & M Expenses (35.5% of revenue)	\$10,160
Depreciation (14.2% of revenue)	4,064
General Taxes (2.1% of revenue)	601
Income Taxes (5.8% of revenue)	1,660
Total Operating Expenses	\$16,485
Operating Income	\$12,135

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DISCOVERY A-9

A-9. The Application’s Exhibit Q – Customer Notice appears to indicate that York Water-WW informed Country View’s customers that they would be billed for wastewater service based on how much water they use. Also, the *pro forma* tariff supplement includes metered rates for Country View’s mobile home park (Country View’s MHP) and only includes an unmetered rate for the Additional Customer. However, The York Water Company’s (York Water’s) related application at Docket No. A-2021-3029961 indicates that York Water will initially charge an unmetered rate for water service. This appears to indicate that York Water-WW may not have water usage data needed to calculate its proposed metered wastewater rates. Please provide responses for each of the following:

- a. Amend the *pro forma* Tariff Supplement to include York Water-WW’s proposed unmetered rates for service in Country View’s MHP, including any eligibility and applicability criteria that must be met to obtain metered and unmetered rates; and
- b. Either demonstrate that York Water-WW’s proposed rates for wastewater service are less than or equal to Country View’s existing rates or provide evidence that Country View customers, which may be charged a greater rate for service from York Water-WW, have been notified of York Water-WW’s proposed rates for service, including the flat rates and the metered rates in the *pro forma* tariff supplement.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

- a. Attached is a revised Exhibit P, Pro Forma Tariff Supplement, including the proposed unmetered rates for service. If the Company’s Application is approved, all Country View MHP residents would be eligible for wastewater service. As described in the revised Pro Forma Tariff Supplement, York Water proposes to charge an unmetered rate for the time period between commencement of ownership and installation of individual water meters.
- b. Country View customers are not currently charged separately for wastewater service, nor is wastewater service in the proposed territory currently metered. In Exhibit K (Customer Notice), the Company has a proposed meter rate charge of \$40.00 per month for the first 3,000 gallons plus \$5.00 per 1,000 gallons over 3,000 gallons of usage. With a projected usage of 4,000 gallons, the projected total charge for wastewater service would be

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\$45.00. The Company reflected this total in the Revised Exhibit N (see Discovery A-8). The proposed monthly unmetered flat rate for the time period between commencement of ownership and installation of individual water meters is \$45.00 and based on consumption of 4,000 gallons.

THE YORK WATER COMPANY

RATES, RULES AND REGULATIONS GOVERNING

THE PROVISION OF WASTEWATER COLLECTION, TREATMENT

AND/OR DISPOSAL SERVICE TO THE PUBLIC IN

THE BOROUGHS OF EAST PROSPECT, FELTON, JACOBUS, AND WEST YORK

AND THE

TOWNSHIPS OF EAST MANCHESTER (ASBURY POINTE RESIDENTIAL SUBDIVISION)

AND LOWER WINDSOR, AND WASHINGTON IN YORK COUNTY, PENNSYLVANIA (C)

AND THE

TOWNSHIP OF LETTERKENNY IN FRANKLIN COUNTY, PENNSYLVANIA

AND THE

TOWNSHIP OF STRABAN IN ADAMS COUNTY, PENNSYLVANIA

ISSUED: xxxxxxxxxxxxxxxx

EFFECTIVE: xxxxxxxxxxxxxxxx

By: Joseph T. Hand
President and CEO
130 East Market Street
York, Pennsylvania

(C) Indicates Change



NOTICE

Filed in compliance with the order of the Pennsylvania Public Utility Commission of XXXXXXXXXXXX, at
Docket No. A-XXXX-XXXXXX.
(SEE PAGE NO. 2)

LIST OF CHANGES

This tariff supplement authorizes The York Water Company – Wastewater to begin to offer or furnish wastewater service to the public in Washington Township, York County, Pennsylvania, as previously served by Countryview Manor, in accordance with the Pennsylvania Public Utility Commission Order at Docket No. A-XXXX-XXXXXXX, entered XXXXXXXXXXXX.

York Water proposes to charge an unmetered monthly wastewater rate of \$45.00 for the time period between commencement of ownership and installation of individual water meters for Country View MHP. York Water proposes to charge an unmetered monthly wastewater rate of \$50.00 to the one customer located on the parcel adjoining Country View MHP. The proposed rate is described in this Pro Forma Tariff to the Application.

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(C) Indicates Change

PART I: SCHEDULE OF RATES AND CHARGES

Asbury Pointe Area

A flat rate of \$62.50 per month per equivalent dwelling unit.

East Prospect and Lower Windsor Area

A metered rate (based on water consumption) as follows:

	<u>Per Month</u>	<u>Rate</u>
East Prospect and Lower Windsor Area	1 st 4,000 Gals.	\$62.50
Over	4,000 Gals.	\$2.50 per 1,000 Gals.

West York Borough Area

Rate per Month

A flat rate per equivalent dwelling unit.

Residential	\$32.71
Commercial/Industrial	\$40.42

Jacobus Borough Area

A metered rate (based on water consumption) per equivalent dwelling unit as follows:

	<u>Per Month</u>	<u>Rate</u>
Jacobus Borough Area	1 st 4,000 Gals.	\$55.00
Over	4,000 Gals.	\$5.00 per 1,000 Gals.

Felton Borough Area

A flat rate of \$79.50 per month per equivalent dwelling unit.

Letterkenny Township Area

A flat rate of \$45.00 per month per equivalent dwelling unit.

Straban Township Area

A metered rate (based on water consumption) as follows:

	<u>Per Month</u>	<u>Rate</u>
Over	1 st 4,000 Gals.	\$62.50
(C) Indicates Change	4,000 Gals.	\$2.50 per 1,000 Gals.

Washington Township Area

(C)

A metered rate (based on water consumption) as follows:

	<u>Per Month</u>	<u>Rate</u>
Country View Manor Base Rate	0-3,000 Gals.	\$40.00
	3,001 and above	\$5.00 per 1,000 Gals.

An unmetered rate as follows:

	<u>Monthly Rate</u>
Country View Mobile Home Park	\$45.00
Additional Customer (Adjoining Parcel)	\$50.00

(C) Indicates Change

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DISCOVERY A-10

A-10. Please provide copies of any Pennsylvania Department of Environmental Protection (DEP) water quality management permits transferred or to be transferred to York-WW for the Wastewater System.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

Attached is a copy of the application for NPDES or WQM permit transfer.



**APPLICATION FOR NPDES OR WQM
PERMIT TRANSFER**

Before completing this form, please read the instructions (3800-PM-BCW0041a). FAILURE TO FOLLOW THE INSTRUCTIONS MAY RESULT IN DENIAL OF THE APPLICATION.

Related ID#s (If Known)		DEP USE ONLY		
Client ID#	<u>200217</u>	APS ID#	Date Received	
Site ID#	<u>258360</u>	Facility ID#	<u>272896</u>	
		PA:	PDG:	
Permit No(s) to be transferred: PA0086894		Date of Proposed Sale / Transfer of Ownership or Operation: 9/20/2019		
Purpose of Application (select one): <input checked="" type="checkbox"/> Transfer Permit(s) <input type="checkbox"/> Add a Co-Permittee		eDMR System: <input type="checkbox"/> eDMR Registration Materials Attached and Sent to BCW <input type="checkbox"/> eDMR Registration Materials Not Required		
PERMIT / FACILITY CATEGORY				
NPDES Individual Permits <input type="checkbox"/> Small Flow Treatment Facility (SFTF) <input checked="" type="checkbox"/> Other Domestic Wastewater <input type="checkbox"/> Industrial Waste / Industrial Stormwater <input type="checkbox"/> Municipal Separate Storm Sewer System (MS4) <input type="checkbox"/> Concentrated Animal Feeding Operation (CAFO)		Other Permits / Authorizations <input type="checkbox"/> NPDES General Permit (PAG-____) <input type="checkbox"/> Water Quality Management (WQM) Permit <input type="checkbox"/> Joint PFBC/DEP Permit ("Chapter 91.38 Permit") <input type="checkbox"/> No Exposure Certification <input type="checkbox"/> Other: _____		
EXISTING PERMITTEE INFORMATION				
DEP Client ID# 200217		Client Type/Code LLC		
Organization Name or Registered Fictitious Name Country View Manor Park, LLC		Employer ID# (EIN) -	Dun & Bradstreet ID#	
Individual Last Name	First Name	MI	Suffix	SSN
Additional Individual Last Name	First Name	MI	Suffix	SSN
Mailing Address Line 1 P.O. Box 66		Mailing Address Line 2		
Address Last Line - City East Berlin		State PA	ZIP+4 17316	Country USA
Client Contact Last Name Adams		First Name George	MI J	Suffix
Client Contact Title Managing Member		Phone 717-479-6932	Ext	
E-mail Address geoadams@hotmail.com			FAX	

SITE INFORMATION					
DEP Site ID# 258360		Site Name Country View Manor Park, LLC			
EPA ID#		Estimated Number of Employees to be Present at Site 1			
Description of Site Manufactured home community along Roland Road, Washington Township					
County Name York		Municipality Washington		City <input type="checkbox"/>	Boro <input type="checkbox"/>
County Name		Municipality		City <input type="checkbox"/>	Boro <input type="checkbox"/>
Twp <input checked="" type="checkbox"/>		Twp <input type="checkbox"/>		Twp <input type="checkbox"/>	
Site Location Line 1 151 Roland Road			Site Location Line 2		
Site Location Last Line – City East Berlin		State PA	ZIP+4 17316		
Detailed Written Directions to Site From East Berlin, Rt 194 north for 3.6mi. Left on Roland Rd for 0.4mi. Right on Jason Dr. Right at T.					
Site Contact Last Name Scrivens		First Name John		MI	Suffix
Site Contact Title Certified Wastewater Operator			Site Contact Firm Quality Wastewater Management		
Mailing Address Line 1 125 Ridgefield Drive			Mailing Address Line 2		
Address Last Line – City York		State PA	ZIP+4 17403		
Phone 717-309-6443	Ext	FAX	E-mail Address qwwwmgt@gmail.com		
NAICS Codes (Two- & Three-Digit Codes – List All That Apply)				6-Digit Code (Optional)	
Site-to-Client Relationship Contractor					
FACILITY INFORMATION					
Facility Name Country View Manor Park, LLC					
Attach a topographic map that identifies the location of the facility and all discharge points (outfalls).					
Provide the latitude and longitude coordinates at the center of the facility.					
Latitude			Longitude		
Degrees	Minutes	Degrees	Minutes	Degrees	Minutes
39	59	2.60	76	59	12.49
Existing Permits. Identify all NPDES and WQM permits for this facility.					
Permit Type		Permit#	Date Issued		Issued By
NPDES		PA0086894	10/01/2018		Maria D. Bebenek, P.E.
Facility Description. Provide a brief description of the facility. Waste water treatment plant: 7 concrete tanks to treat sewage effluent for discharge.					

COMPLIANCE HISTORY (EXISTING PERMITTEE)	
Is the facility owner or operator in violation of any DEP regulation, permit, order or schedule of compliance at this or any other facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If "Yes," list each permit, order and schedule and provide compliance status. Use additional sheets to provide information on all permits.	
Permit Program PWS ID#7670129	Permit No. #6711509MA
Brief Description of Non-Compliance Well casing maintenance, flow restrictors for contact tanks, ERP, USSP, OMP must be developed	
Steps Taken to Achieve Compliance	Date(s) Compliance Achieved
Flow restrictor installation began; stalled due to material availability	Began 08/2019, est completion 09/2019
ERP, USSP, OMP in progress	Ongoing; will comply with DEP deadlines
Current Compliance Status <input type="checkbox"/> In Compliance <input checked="" type="checkbox"/> In Non-Compliance	
If the owner or operator is not in compliance with any permit requirement or DEP regulations, attach a narrative description of how the owner or operator will achieve compliance with the permit requirement, including the schedule for achieving compliance with appropriate milestones.	
Are there any fees, past or present, due for the permit being transferred? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes," payment must be remitted with this application for any fees, past or present, due for the permit being transferred.	
CERTIFICATION (EXISTING PERMITTEE)	
I certify that I have the authority to make this application as the existing permittee, and that the information included in this application is true to the best of my knowledge and belief. I, on behalf of the existing permittee, hereby:	
<input checked="" type="checkbox"/> relinquish the permit(s) that are the subject of this application to the proposed permittee; or	
<input type="checkbox"/> agree to include the proposed permittee identified in this application as a co-permittee on the permit.	
I also certify under penalty of law and subject to the penalties of 18 Pa. C.S. Section 4904 (relating to unsworn falsification to authorities) that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.	
<u>George J Adams</u> Name (type or print legibly)	<u>Managing Member</u> Official Title
<hr/> Signature	<hr/> Date

PROPOSED PERMITTEE / CO-PERMITTEE INFORMATION				
DEP Client ID#		Client Type/Code LLC		
Organization Name or Registered Fictitious Name Country View Manor Community, LLC		Employer ID# (EIN) 84-2342473	Dun & Bradstreet ID#	
Individual Last Name	First Name	MI	Suffix	SSN
Additional Individual Last Name	First Name	MI	Suffix	SSN
Mailing Address Line 1 1045 Lake Road		Mailing Address Line 2		
Address Last Line – City Spring Grove,	State PA	ZIP+4 17362-8814	Country USA	
Client Contact Last Name Barshinger	First Name Alissa	MI L	Suffix	
Client Contact Title Vice President		Phone 717-739-9319	Ext	
E-mail Address CountryViewCommunity@gmail.com			FAX	
Site Name (if different from Site Information section above) Country View Manor Community				
Facility Name (if different from Facility Information section above)				
DISCHARGE INFORMATION				
Check the appropriate boxes below to indicate whether the quantity (flow or pollutant mass loads) or quality (pollutant concentrations) of any discharge to surface waters will change following transfer of the permit(s) or addition of co-permittee(s).				
	Expected Change			
	Greater Than Existing Discharge(s)	Less Than Existing Discharge(s)	No Change	
Flow or Pollutant Mass Loads	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Pollutant Concentrations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If changes are expected, explain the reason(s):				
COMPLIANCE HISTORY (PROPOSED PERMITTEE)				
Is the proposed permittee in violation of any DEP regulation, permit, order or schedule of <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No compliance at any other facility?				
If "Yes," list each permit, order and schedule and provide compliance status. Use additional sheets to provide information on all permits.				
Permit Program		Permit No.		
Brief Description of Non-Compliance				
Steps Taken to Achieve Compliance			Date(s) Compliance Achieved	
Current Compliance Status <input type="checkbox"/> In Compliance <input type="checkbox"/> In Non-Compliance				

If the owner or operator is not in compliance with any permit requirement of DEP regulations, provide narrative description of how the owner or operator will achieve compliance with the permit requirement, including the schedule for achieving compliance with appropriate milestones.

STATEMENT OF LIABILITY

Unless otherwise indicated by attached written agreement, the proposed permittee will be held liable for all continuing and future violations of the transferred permit(s). If applicable, the written agreement must state the steps that will be taken to resolve any non-compliance at the facility and the responsible party for all actions.

CERTIFICATION (PROPOSED PERMITTEE)

I certify that I have the authority to make this application as the proposed permittee or co-permittee, and that the information included in this application is true to the best of my knowledge and belief. I, on behalf of the proposed permittee, hereby accept the permit(s) and the statement of liability above (unless otherwise specified in an attached written agreement), and agree to be bound by all terms of said permit(s).

I also certify under penalty of law and subject to the penalties of 18 Pa. C.S. Section 4904 (relating to unsworn falsification to authorities) that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

For Transfers of No Exposure Certifications: I certify that: 1) I have read and understand the eligibility requirements for claiming a condition of “no exposure” and obtaining an exclusion from NPDES stormwater permitting under federal regulations; 2) there are no discharges of stormwater contaminated by exposure to industrial activities or materials from the industrial facility (except as allowed under federal regulations); and 3) there are no unauthorized non-stormwater discharges from the facility. I understand that I am obligated to submit a No Exposure Certification form once every five years to the NPDES permitting authority and, if requested, to the operator of the local MS4 into which this facility discharges (where applicable). I understand that I must allow the NPDES permitting authority, or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request. I understand that I must obtain coverage under an NPDES permit prior to any point source discharge of stormwater from the facility.

Alissa L Barshinger

Vice President

Name (type or print legibly)

Official Title

Signature

Date

DOCUMENT REVISION HISTORY

Date	Revision Reason
August 2019	Clarification of requirements for outstanding fees under Compliance History.
October 2018	Updated application to include purpose of application and eDMR checkboxes on page 1, revisions to Discharge Information section, and revisions to Certification sections. Added option for transfer application to be used to add co-permittees to a permit.
February 2017	Added requirement to submit eDMR registration if using eDMR.
November 2016	Updated topographic map requirements; Updated document number and document number references.

TUS Data Request Set 1

Application of The York Water Company – Wastewater for approval of the rights to: (1) acquire certain wastewater system assets from Country View Manor Community, LLC; and (2) offer, render, furnish and supply wastewater service to the public in a portion of Washington

Township, York County
Docket No. A-2021-3030076

DISCOVERY A-11

A-11. Please demonstrate and provide evidence that the Application is consistent with Washington Township’s DEP-approved Act 537 Official Sewage Facilities Plan (Act 537 Plan) by providing copies of Washington Township’s Act 537 Plan, any relevant revisions or supplements, and associated DEP approval or exemption letters.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

York Water and a Washington Township official reviewed historical documents available at the Township offices. The Washington Township official also requested additional review by their Engineer of Record.

The Washington Township review determined that there is no Act 537 Plan created or available. The Township Engineer concurred that the Township does not currently have any public wastewater treatment facilities, and all sewage disposal is On-lot systems, except for the private CVM system.

York Water acknowledges that the PaDEP SCRO Aging web page references a date of July 16, 1996 for the last Act 537 Revision. However, a review of Township board actions during 1996 found no activity related to Act 537 Plans. On February 23, 2022, Tim Wagner, who is an Environmental Group Manager at PaDEP, informed York Water that Washington Township adopted the York County 537 Plan on December 25, 1972. The York County 537 Plan was a generalized county-wide plan, and Washington Township never established its own plan specific to the Township.

TUS Data Request Set 1

Application of The York Water Company – Wastewater for approval of the rights to: (1) acquire certain wastewater system assets from Country View Manor Community, LLC; and (2) offer, render, furnish and supply wastewater service to the public in a portion of Washington

Township, York County
Docket No. A-2021-3030076

DISCOVERY A-12

- A-12. Please clarify whether Washington Township’s Act 537 Plan, inclusive of applicable revisions, supplements, and exemptions, permits public wastewater service to the Additional Customer. Also, if a revision or supplement to Washington Township’s Act 537 Plan is required to permit public wastewater service to the Additional Customer, please provide responses for each of the following:
- a. Identify whether Country View or York Water-WW will be responsible for obtaining DEP approval of a revision or supplement to Washington Township’s Act 537 Plan;
 - b. If York Water-WW will be responsible for obtaining DEP approval of a revision or supplement to Washington Township’s Act 537 Plan, quantify the cost that York Water-WW anticipates that it will incur related to obtaining this DEP approval; and
 - c. State whether York Water-WW would close on the transaction before DEP approval of a revision or supplement to Washington Township’s Act 537 Plan to permit public wastewater service to the Additional Customer.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

- a. As referenced in answer to Discovery A-11, Washington Township does not have its own Act 537 Plan.
- b. Not applicable. See answer to subpart (a).
- c. Not applicable. See answer to subpart (a).
- d. Not applicable. See answer to subpart (a).

TUS Data Request Set 1
Application of The York Water Company – Wastewater for approval of the rights to: (1) acquire certain wastewater system assets from Country View Manor Community, LLC; and (2) offer, render, furnish and supply wastewater service to the public in a portion of Washington Township, York County
Docket No. A-2021-3030076

DISCOVERY A-13

A-13. Please clarify the following:

- a. Whether residents of Country View’s MHP and the Additional Customer will be required to apply to York Water-WW for wastewater service after closing;
- b. Whether Country View or the residents of Country View’s MHP will be responsible for payment of charges for wastewater service rendered within Country View’s MHP; and
- c. Whether Country View or the residents of Country View’s MHP and the Additional Customer will be required to pay any application fee, deposit, or similar charge to establish or maintain service with York Water-WW.

RESPONDENT:

Mark A Wheeler
Chief Operating Officer

RESPONSE:

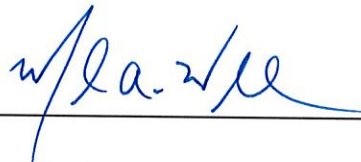
- a. Country View mobile home park (MHP) residents will not be required to apply to York Water for wastewater service after closing.
- b. Country View MHP residents will be responsible for payment of charges for wastewater service rendered within the Country View MHP.
- c. Country View MHP residents will not be required to pay any application fee, deposit, or similar charge to establish service with York Water. To maintain service, Country View MHP residents will be subject to the provisions of the Company’s approved wastewater tariff, including but not limited to Section C – Discontinuance, Termination, and Restoration of Service.

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: March 11, 2022



Mark A. Wheeler