



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE
REFER TO OUR FILE

May 13, 2022

Docket Nos. A-2021-3029231 & A-2021-3029237
Utility Codes 230087 & 2313427

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RE: Joint Application of The York Water Company and SYC WWTP, L.P., for approval of (1) the transfer by sale, certain public wastewater facilities and rights from SYC WWTP, L.P. to The York Water Company, (2) 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) 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) 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 at Docket Nos. A-2021-3029231 & A-2021-3029237

Dear Attorneys Hassell, Ryan, and Vedder:

On October 20, 2021, The York Water Company – Wastewater filed the above-referenced documents with the Pennsylvania Public Utility Commission. To assist the Commission in conducting the review of Docket Nos. A-2021-3029231 & A-2021-3029237, please respond with the information requested in Attachment 1.

Please forward the information to the Secretary of the Commission at the address listed below **within ten (10) business days** from the date of this letter. Make sure to reference the docket number listed above when filing your response. Please note that some responses may be e-filed to your case, <http://www.puc.pa.gov/efiling/default.aspx>. A list of document types allowed to be e-filed can be found at <http://www.puc.pa.gov/efiling/DocTypes.aspx>. All documents requiring notary stamps must have original signatures.

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Your answers should be verified per 52 Pa Code § 1.36. Accordingly, you must provide the following statement with your responses:

<p><i>I, [print name of appropriate company representative], 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).</i></p> <p style="text-align: right;">Signature _____ Title _____ Date _____</p>
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Please contact the below staff person if any problems should arise that prevent a full response within ten business days or if any clarification of these data requests is needed. Please mark the materials “CONFIDENTIAL” in bold or highlighted manner if any of the requested information is deemed to be of a confidential nature.

In addition, to expedite completion of the application, please send a copy of your response to Clinton McKinley in the Water/Wastewater Section of the Bureau of Technical Utility Services via e-mail at cmckinley@pa.gov. Thank you in advance for your cooperation.

Sincerely,



Rosemary Chiavetta
Secretary

Enclosure: TUS Data Request Set 1

cc: Christine Maloni Hoover, Office of Consumer Advocate (w/enclosure)
choover@paoca.org
Teresa Wagner, Office of Small Business Advocate (w/enclosure) tereswagne@pa.gov
Richard Kanaskie, PUC Bureau of Investigation and Enforcement (w/enclosure)
rkanaskie@pa.gov

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Note: Please restate the data request prior to providing a response. In addition, provide the name and title of the person(s) providing the response and/or information for each data request.

- A-1 The Application's Exhibit P consisted of a copy of The York Water Company-Wastewater Division's (York Water-WD's) *pro forma* tariff supplement (*pro forma* tariff) incorporating the existing rates of SYC WWTP, L.P. (SYC). However, the *pro forma* tariff identified a rate for metered residential customers of \$40.00 plus \$5.00 per 1,000 gallons over 3,000 gallons per month. SYC's current tariff does not identify a separate rate for metered residential customers. Please clarify whether the proposed rate for metered residential customers is consistent with SYC's existing rates or indicate that York Water-WD is proposing a new rate for this customer class.
- A-2 York Water-WD's *pro forma* tariff and Schedule 401 of SYC's 2020 Annual Report to the Commission, indicated certain customers may be billed on a flat rate basis. Please separately quantify the current number of SYC's commercial, industrial, and residential customers billed on a flat rate basis.
- A-3 York Water-WD's *pro forma* tariff identified a flat rate charge of \$112 per EDU per month for industrial and commercial customers and \$40 per EDU per month for residential customers. However, Original Page No. 10, Section B.3.b.7 of SYC's Commission approved tariff, provided as the Application's Exhibit P-1, identified a flat rate charge of \$250 per EDU per quarter without separate rates for industrial and commercial or residential customers. Please explain this discrepancy and clarify if York Water-WD is proposing a rate increase for commercial and industrial flat rate customers and a rate decrease for residential flat rate customers through this Application.
- A-4 The Application at Paragraph 6, Page 9 indicated York Water-WD's capital requirements for the acquisition consist of the purchase price of \$365,000 for the SYC system and \$60,000 for the installation of Supervisory Control and Data Acquisition equipment (\$365,000 + \$60,000 = \$425,000). However, the Application identifies the total estimated cost of \$395,000 and not \$425,000. Please explain or correct this apparent mathematical error and restate the estimated total cost of the transaction.
- A-5 The Application's Exhibit N identified York Water-WD's estimated annual revenue and expenses for providing wastewater service in the requested territory. Please revise the Application's Exhibit N to:

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- a. Correct the Industrial/Commercial Monthly Customer Charge, stated as \$112.00, and the Residential Monthly Customer Charge, stated as \$45.00, in the calculation of total annual revenue, to match the monthly rates identified in York Water-WD's *pro forma* tariff as \$111.85 for industrial/commercial and \$40.00 for residential;
 - b. Include, in the calculation of total annual revenue, the estimated revenue produced from customer consumption over 10,500 gallons for commercial and industrial customers and over 3,000 gallons for residential customers; and
 - c. Include in the calculation of total annual revenue, the estimated revenue from customers paying the flat rate identified in the *pro forma* tariff.
- A-6 Please provide copies of all invoices SYC issued to customers within the North System, as defined in the Application at Pages 7-8, and Albright systems for the year ended December 31, 2020.
- A-7 SYC's 2020 Annual Report filed with the Commission identified wastewater sales revenue of \$106,788 for the year ended December 31, 2020. Separately quantify the revenue SYC collected in the year ended December 31, 2020, by revenue collected from customers in the North System, Albright System, and customers located within SYC's certificated service territory.
- A-8 The Application's Exhibit K-2 - Agreement of Sale, dated April 29th, 2021, (North System APA) at Paragraph 22 Page 3, indicated York Water-WD will accept assignment of a reservation agreement. Please provide a copy of the referenced reservation agreement.
- A-9 The Application at Pages 10-11 indicated York Water-WD conducted a full video and telemetry assessment of the entire North System (the term "North System" in this data request refers to facilities north of SYC's certificated service territory and east of Susquehanna Trail), revealing significant structural defects and considerable inflow and infiltration (I&I). The Application also noted York Water-WD will undertake repairs and replacements as appropriate to reduce I&I. Please provide a detailed description of the referenced repairs and replacements, including a breakdown, by major plant account, of

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the estimated cost and timeframe by which York Water-WD intends to complete these repairs and replacements.

- A-10 As current customers of SYC, please explain why the owners of the North System are not being required to correct the structural defects and I&I identified on Pages 10-11 of the Application in accordance with Section F on Original Page No. 12 and Section C(1)(c) on Original Page No. 26 of SYC's Commission approved tariff.
- A-11 The Application at Page 13 indicated Albright is a wastewater customer of SYC at the service address of 10846 Susquehanna Trail S., Glen Rock, PA 17327. However, Section 4.9 of the Agreement of Water and Wastewater System Sale (Albright Agreement) between R.T. Barclay, Inc. t/d/b/a Albright Trailer Park (Albright) and The York Water Company, provided as the Application's Exhibit K-4 indicated that York Water-WD will charge its PUC approved wastewater rates for all active Albright residents, which includes a metered rate per equivalent dwelling unit. The Application does not address this apparent change in service other than to indicate at Page 17 that the residents in Albright received notice of the rate structure. Please provide the following information regarding the Albright Agreement and the facilities providing wastewater service to Albright (Albright System):
- a. Clarify whether it is York Water-WD's intention to individually bill residents within the Albright Trailer Park for wastewater service;
 - b. Quantify, by customer class, the number of active and inactive wastewater connections to the Albright System;
 - c. Provide a breakdown of the time, materials, and cost of any alterations to the Albright wastewater collection system York Water-WD must complete in order to:
 - i. Provide wastewater service to the individual lots within Albright; and
 - ii. Issue individual bills on a metered basis to each wastewater connection to the Albright wastewater system.

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- d. Identify if a charge for wastewater service is currently included in any lot rent paid by Albright residents; and
 - e. Provide a *pro forma* copy of the "Notice of Completion of Facilities" referenced in Section 9.2 of the Albright Agreement.
- A-12 The Application's Exhibit D-1 - Inventory, does not identify the quantity, length, or material type for laterals to be acquired within the North System or the Albright System. Please state if York Water-WD will be acquiring any portion of the service laterals connecting customers within the North System and Albright System. If York Water-WD is acquiring service laterals within these two systems, please identify the quantity, size, length and type of material of the laterals being acquired.
- A-13 The Application at Page 12 indicated SYC currently provides wastewater service to eight customers that are served by the North System, through a point of interconnection within SYC's certificated service territory. Please provide a map that depicts and identifies the location of this interconnection point.
- A-14 The Application at Page 12 stated, "The location of this customer-owned main (in the North System) is identified on Exhibit "D". Additionally, the Application's Exhibit D-1 - Inventory, indicated the SYC - Northern Extension [North System] consists of 3,760 linear feet of 8-inch diameter PVC pipe. However, the Application's Corrected Exhibit D only depicted approximately 500 linear feet of privately owned force main in the North System with the remaining main and facilities in the North System, east of Susquehanna Trail, labeled as SYC owned main. Please explain this apparent discrepancy and provide a revised Application Exhibit D to accurately and separately depict SYC owned main and privately owned main.

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- A-15 The Application at Page 12 indicated York Water-WD proposes to expand the public wastewater service territory of SYC as part of this acquisition and the Application's Corrected Exhibit D depicts a boundary labeled "SYC Proposed Service Area." Separately, the Application's Exhibit E included a map titled "Southern York County Wastewater Certificated Service Territory Map." SYC cannot abandon service and expand its service territory simultaneously. Please amend the Application and corresponding exhibits to clarify that York Water-WD is requesting assignment of SYC's certificated service territory, and the additional service territory required to provide service to the North System and Albright System.
- A-16 Please demonstrate and provide evidence the Application is consistent with Springfield Township's Department of Environmental Protection (DEP) approved Official Sewage Facilities Act 537 Plan by providing a copy of the DEP-approved sewage facilities planning documents that specifically permit service within the Application's requested territory.
- A-17 Please verify the modifications to SYC's treatment process, identified in the Commission Order entered August 1, 2011, at Docket No. A-2011-2236806, have been completed pursuant to the Consent Order and Agreement between DEP and Exit II WWTP, Inc. If these modifications have not been completed, please provide a detailed breakdown, by major plant category, of the time, material, and cost required to complete these modifications.
- A-18 Please provide copies of any DEP Water Quality Management Permits transferred or to be transferred to York Water-WD for the North System, Albright System, and SYC's wastewater system.
- A-19 The Application's Exhibit Q consisted of a copy of the national pollutant discharge elimination system (NPDES) permit for the SYC wastewater treatment plant. The supplemental information section of that permit indicated the hydraulic design capacity of 0.08 million gallons per day for the treatment facility is used to prepare the annual Municipal Wasteload Management Report (Chapter 94 Report). If a Chapter 94 Report is filed with DEP for this system, please provide a copy of the most current Chapter 94 Report filed with the DEP.

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- A-20 Please provide a copy of the certificate of the certified operator York Water-WD intends to assign to the operation of the wastewater treatment plant and collection systems subject to this transaction.
- A-21 Please provide a copy of the attachment referenced in the email between representatives of York Water-WD and Adhesives Research, Inc., provided as the Application's Exhibit J-3.
- A-22 Please explain how approval of the Application is in the interest of YWC-WD's existing customers.