

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
HARRISBURG, PA 17120**

Public Meeting held July 14, 2022

Commissioners Present:

Gladys Brown Dutrieuille, Chairman
John F. Coleman, Jr., Vice Chairman
Ralph V. Yanora

Application of The York Water Company – Wastewater for approval of the rights to: (1) acquire certain wastewater system assets from Franklin County General Authority and the Letterkenny Industrial Development Authority; and (2) offer, render, furnish and supply wastewater service to the public in portions of Letterkenny, Greene, and Hamilton Townships, Franklin County, Pennsylvania

Docket No.
A-2021-3029945

ORDER

****REDACTED VERSION****

BY THE COMMISSION:

By the application (Application) filed on December 8, 2021, The York Water Company – Wastewater (York Water-WW), Utility Code 230087, seeks certificates of public convenience pursuant to Sections 1102(a)(1)(i) and (3) of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 1102(a)(1)(i) and (3), evidencing Pennsylvania Public Utility Commission (Commission) approval of York Water-WW’s rights to: (1) acquire certain wastewater system assets from Franklin County General Authority (FCGA) and Letterkenny Industrial Development Authority (LIDA); and (2) offer, render, furnish and supply wastewater service to the public in portions of Letterkenny, Greene, and Hamilton Townships, Franklin County, Pennsylvania. In addition, York Water-WW seeks a certificate of filing pursuant to Section 507 of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 507, evidencing a copy of the municipal contract between York Water-WW, FCGA and LIDA for the purchase of wastewater assets was filed with the Commission.

I. AFFECTED ENTITIES AND BACKGROUND

York Water-WW is a regulated public utility company, duly organized and existing under the laws of the Commonwealth of Pennsylvania with offices located at 130 East Market Street, York, Pennsylvania 17401. As of December 31, 2020, York Water-WW furnished wastewater service to 3,280 customers located in portions of East Manchester and Lower Windsor Townships, and the Boroughs of East Prospect, West York, Jacobus, and portions of Felton, York County; portions of Straban Township, Adams County; and a portion of Letterkenny Township, Franklin County. York Water-WW is a division of The York Water Company (York Water), Utility Code 213550. As of June 30, 2021, York Water provided water service to 69,570 customers in 51 municipalities throughout portions of York and Adams Counties including Letterkenny Township, York County.

FCGA is a municipal authority organized under the Pennsylvania Municipal Authorities Act.¹ According to FCGA's 2020 Audited Financial Statements provided in supplemental information filed with the Commission, FCGA was created on October 2, 1997, to operate the water and wastewater facilities and rail lines within the Letterkenny Army Depot (Depot). LIDA is a municipal authority organized under the Economic Development Financing Law.² According to LIDA's 2020 Audited Financial Statements provided in supplemental information filed with the Commission, LIDA was formed in August 1997 to implement redevelopment activities for the reuse of the Depot as a business park, known as the Cumberland Valley Business Park (Business Park). FCGA and LIDA (together, the Sellers) share a mailing address of 4759 Innovation Way, Chambersburg, Pennsylvania 17201.

The Sellers collectively own and operate the wastewater collection, conveyance, treatment and disposal system and related assets (Wastewater System) to furnish wastewater service to approximately 201 customers (Proposed Customers) in portions of

¹ 53 Pa.C.S. §§ 5601, *et seq.*

² 73 P.S. §§ 371, *et seq.*

Letterkenny and Greene Townships.³ The Wastewater System is currently operated by FCGA's agent, Veolia Water Contract Operations USA, Inc., f/k/a SUEZ Water Environmental Services Inc., pursuant to the Amended and Restated Operation, Maintenance and Management Agreement for Water and Sewer Facilities dated April 20, 2015, provided as the Application's Exhibit T.⁴ A copy of the fourth amendment to this agreement, extending the agreement on a month-to-month basis until June 30, 2023, was provided as the Application's Exhibit T-1.

Additionally, the Sellers provide water service in the requested service territory. A separate application for York Water to acquire the Sellers' water system assets (Water System) was filed with the Commission at Docket No. A-2021-3029704.

York Water-WW submitted proofs of publication and service to the appropriate entities. Notice of the Application was published in the *Pennsylvania Bulletin*, 51 Pa.B. 8066, on Saturday, December 25, 2021. The protest period ended January 10, 2022. No protests were filed, and no hearings were held.

II. LOCATION AND DESCRIPTION OF THE REQUESTED TERRITORY

The requested territory is centrally located in Franklin County, just north of Chambersburg and the intersection of US Route 11 and State Route 433. Most of the requested service territory is situated in southeast portion of Letterkenny Township, with portions extending into Hamilton Township to encompass a portion of the Depot and into Greene Township to include a portion of the Business Park. York Water-WW provided a map of the requested territory and a written description of the territory's boundaries, by bearing angles and distances, representing an area of approximately 20,060 acres, as the Application's Exhibits D-1 and E-1 through E-4, respectively.

³ See Application at Page 6. The portion of the requested service territory in Hamilton Township does not contain wastewater facilities but is part of a federally-owned parcel upon which the Letterkenny Army Depot is located.

⁴ According to Pennsylvania Department of State business corporation public records, it appears that SUEZ Water Environmental Services Inc., f/k/a United Water Environmental Services Inc., amended its corporate registration on March 28, 2022, to change its name to Veolia Water Contract Operations USA, Inc.

III. DESCRIPTION OF FACILITIES FURNISHING SERVICE

York Water-WW will acquire the Sellers' Wastewater System assets including the South Patrol Road Wastewater Treatment Plant (South Patrol WWTP), Rocket Road Wastewater Treatment Plant (Rocket Road WWTP) and the separate collection and conveyance facilities associated with each plant. Collection and conveyance assets include: 10 pump stations; approximately 25,200 linear feet (LF) of force main; and approximately 65,000 LF of gravity main. **[BEGIN CONFIDENTIAL]**

[END CONFIDENTIAL]

In supplemental information filed with the Commission, York Water-WW provided a copy of FCGA's 2021 Municipal Waste Load Management Report (2021 Chapter 94 Report) filed with the Pennsylvania Department of Environmental Protection (DEP). The 2021 Chapter 94 Report indicated the South Patrol WWTP was constructed in 2013, after an old plant was demolished, and is designed for an average daily flow of 0.25 million gallons-per-day (MGD) and an average daily influent organic loading of 600 pounds-per-day of biochemical oxygen demand after five days (lbs./day BOD₅). The South Patrol WWTP uses an Aero-Mod two-stage extended air biological process to reduce biochemical oxygen demand, suspended solids, phosphorus, and ammonia nitrogen and an ultraviolet sterilization system for disinfection. The 2021 Chapter 94 Report also identified the 2021 monthly average daily flow to be 0.0777 MGD with a

five-year average of 0.120 MGD and the monthly average daily organic load to be 193 lbs./day BOD₅, with a five-year average of 241 lbs./day BOD₅. In July 2020, average daily organic load was indicated to be 616 lbs./day BOD₅. However, the 2021 Chapter 94 Report further stated the South Patrol WWTP is not projected to be hydraulically or organically overloaded for the next 5 years, with 82 additional equivalent dwelling units (EDUs) per year projected to be served during each year from 2023 – 2026.

To verify sufficient capacity at the 0.008 MGD Rocket Road WWTP, York Water-WW provided a 2021 influent and effluent hydraulic and organic loading summary table and copies of FCGA's monthly supplemental influent and process control reports and supplemental daily effluent monitoring reports submitted to DEP. The summary identified the 2021 monthly average daily flow at the Rocket Road WWTP to be 0.001 MGD with a monthly average daily organic loading of 2.49 lbs./day BOD₅. Additionally, York Water-WW averred that because the Rocket Road WWTP is a mission-specific facility serving a small number of buildings located within the Depot, and the Depot has not indicated it intends to expand the mission, the current capacity of the Rocket Road WWTP is adequate.

IV. PURCHASE AGREEMENT

On April 22, 2021, York Water, acting as both York Water and York Water-WW, and the Sellers executed a Purchase Agreement for York Water and York Water-WW to acquire the Sellers' Water and Wastewater Systems for a purchase price of \$2,700,000, plus \$10,000 to be paid by York Water-WW toward partial reimbursement of the Sellers' closing costs. In the Application, York Water-WW indicated that \$432,000 of the purchase price and other acquisition costs will be allocated for the Water System and \$2,278,000 for the Wastewater System, based on the Sellers' audited financial statements. York Water-WW indicated that the purchase cost will be financed by internally generated funds, proceeds from the issuance of common stock under York Water-WW's dividend reinvestment and direct and employee stock purchase plans and, if

necessary, borrowings against York Water-WW's line of credit. A confidential copy of the Purchase Agreement was provided in the Application as Exhibit G with related disclosure schedules provided as the Application's confidential Exhibit G-1.

Additionally, York Water-WW indicated that all negotiations were conducted at arm's length and that York Water-WW and the Sellers are not affiliated with each other. In supplemental information filed with the Commission, York Water-WW provided the following tentative journal entries to record this transaction in its accounts, indicating the \$10,000 partial reimbursement of Sellers' closing costs will be recorded as part of the Wastewater System's acquisition costs:

1. Record Purchase of System

Account No.	Account Description	Debit	Credit
105	Construction Work in Progress	\$2,278,000	
131	Cash		\$2,278,000

2. Close Project to Utility Plant

Account No.	Account Description	Debit	Credit
101	Utility Plant in Service	\$4,634,426	
108	Accumulated Depreciation		\$0
114	Utility Plant Acquisition Adj.		\$2,356,426
105	Construction Work in Progress (Purchase Price + Other Acquisition Costs)		\$2,278,000

3. Record Other Project Costs

Account No.	Account Description	Debit	Credit
105	Construction Work in Progress	\$60,000	
224	Supervisory Control and Data Acquisition (SCADA) Line of Credit Borrowings		\$60,000

4. Close Projects to Utility Plant

Account No.	Account Description	Debit	Credit
101	Utility Plant in Service	\$60,000	
105	Construction Work in Progress		\$60,000

In the Application, York Water-WW stated that the original cost of the Wastewater System was not available from the current owners and there have been no contributions toward the construction of the Sellers' Wastewater System. However, in supplemental information filed with the Commission, York Water-WW provided a copy of FCGA's Act 203 of 1990 Study dated May 1998, which identified the original cost of capacity and collection/conveyance assets to be \$2,287,020 and the 2021 Chapter 94 Report indicated that the Wastewater System was conveyed to FCGA by the U.S. Army on September 14, 1998. **[BEGIN CONFIDENTIAL]**

[END

CONFIDENTIAL]. Also, as further discussed in Section VI, below, it appears that FCGA may have charged tapping fees to wastewater customers to recover historic capacity, collection, and conveyance costs, including FCGA's cost to construct wastewater service laterals.

York Water-WW indicated that it will perform an original cost study to determine the original cost and accumulated depreciation of the Sellers' plant in service to be acquired. By this Order, York Water-WW will be required to file a copy of the original cost study of the assets being acquired from the Sellers with the Commission upon

completion of the study.⁵ Additionally, York Water-WW will be directed to identify this transaction for individual review in the context of its next general rate case that proposes to include the value of the Wastewater System in rate base to evaluate the reasonableness of the original cost, absence of contributions, accumulated depreciation, and any utility plant acquisition adjustment claims.⁶

[BEGIN CONFIDENTIAL]

⁵ See Ordering Paragraph No. 6.

⁶ See Ordering Paragraph No. 7.

[END CONFIDENTIAL]

V. ADDITIONAL CAPITAL REQUIREMENTS

In the Application, York Water-WW estimated spending approximately \$200,000 to map, inspect, and televise the Wastewater System within 12 months of closing and that future wastewater system improvement plans will be based on its assessment of the Wastewater System. York Water-WW indicated that these costs will also be financed by internally generated funds, proceeds from the issuance of common stock under its dividend reinvestment and direct stock purchase and employee stock purchase plans, and, if necessary, borrowing against its lines of credit.

VI. PROPOSED RATES

In supplemental information filed with the Commission, York Water-WW provided a revised Application Exhibit P consisting of a *pro forma* tariff supplement which identified York Water-WW's proposed wastewater rate for commercial and industrial customers to be \$111.85 per month, for the first 10,500 gallons of water usage each month, plus \$15.44 per 1,000 gallons of water usage above 10,500 gallons, and a rate for residential customers to be \$40.00 per month, the first 4,000 gallons of water usage each month, plus \$5.00 per 1,000 gallons of water usage above 10,500 gallons. However, York Water-WW averred there are currently no residential customers connected to the Wastewater System. The *pro forma* tariff supplement also proposed: a reservation fee for all customers of \$10 per gallon, or \$3,500 per EDU; a reserved capacity fee of \$50 per EDU per quarter for EDUs reserved but not currently discharging wastewater to the Wastewater System; and a flat rate of \$112 per EDU for industrial and commercial customers and \$40 per EDU for residential customers.

Also, in supplemental information filed with the Commission, York Water-WW provided a copy of FCGA's schedule of fees and charges for wastewater service as revised January 1, 2021. According to this document, FCGA's existing sewer rent (rate) consists of a charge of \$20.00 per 1,000 gallons of water usage, billed on a quarterly basis. FCGA's schedule of fees and charges also described: a connection fee to be the

actual cost of connection to the Wastewater System that FCGA is billed by its contractor or the cost of inspection and testing if the customer chooses to install their own facilities; a customer facilities fee to be the actual cost of installing a grinder pump or other appurtenant facilities at the customer's building; escalating tapping fees based on water meter sizes; a \$100 per year per EDU capacity reservation fee indicated as not being applicable at this time; and a \$500 application fee for sewer system extensions.

York Water-WW notified customers within the requested service territory of its proposed change in rates as supported by the Application's Exhibit Q, which consisted of a copy of a notice sent to existing FCGA customers, dated October 29, 2021. The notice indicated that York Water-WW's rate structure differs from FCGA's current rate structure and that York Water-WW's customer charge will be assessed even if there is no registration through the water meter, and there may be a State Tax Adjustment Surcharge (STAS) which is currently 0.0% of the bill. Example rate calculations for hypothetical residential customers using 4,000 gallons and 6,000 gallons of water per month were included, indicating charges of \$40 and \$50, respectively. Also, an example rate calculation for a hypothetical commercial or industrial customer using 20,000 gallons per month was shown as \$111.85 plus \$15.44 x 9.5 (i.e., 9,500 gallons of water usage above the amount included in the customer charge) for a total sewer bill of \$258.53 per month plus STAS, which is currently 0.0% of the bill.

York Water-WW revised the Application's Exhibit N, in supplemental information filed with the Commission, to quantify the estimated annual revenue for providing wastewater service to the Proposed Customers to be approximately \$311,784 and annual operating expenses to be \$179,586 including operation and maintenance, depreciation, and tax expenses. The estimated revenue and expenses would result in a net annual operating income of approximately \$132,198. In supplemental information filed with the Commission, York Water-WW averred that its proposed rates are just and reasonable because: 1) they are the same Commission-approved tariffed wastewater rates

of SYC, WWTP, L.P. (SYC);⁷ 2) York Water-WW will further its goal of consolidating its wastewater service rates applicable throughout its service territories; 3) a fixed customer charge better accounts for the costs and expenses incurred by wastewater service providers; and 4) York Water-WW averred its rates are roughly equivalent to the revenues produced by the Sellers' current wastewater rates.

York Water-WW's averments regarding whether proposed rates are just and reasonable are better addressed in a rate case proceeding. As such, we will permit York Water-WW's proposed base rates in this case, considering that York Water-WW appears to have provided notice of these rates to Proposed Customers, no formal complaints were filed, and York Water-WW may be required to provide refunds, with interest, if its proposed rates are subsequently found in a rate case proceeding to be unjust or unreasonable.⁸ However, at this time we will not permit the proposed reservation fee of \$10 per gallon or \$3,500 per EDU, nor the reserved capacity fee of \$50 per EDU per quarter. York Water-WW is not proposing to adopt the existing rates of the Sellers, which include a tapping fee and capacity reservation fee based on a FCGA Act 203 of 1990 Study specific to the Wastewater System. Additionally, York Water-WW's proposed rate structure already accounts for fixed costs, such as plant capacity. Charging an additional reservation fee and reserved capacity fee could lead to a double collection on the same assets from existing customers and future customers connecting to the Wastewater System. Finally, York Water-WW has not clearly identified a reasonable basis for why its reservation and reserved capacity fees should be permitted to take effect with the remainder of its proposed rates. Resultingly, this Order will permit York Water-WW to adopt rates that are consistent with the revised pro forma tariff supplement provided in the Application's supplemental information, and further revised to exclude York Water-WW's proposed reservation and reserved capacity fees.⁹ This does not

⁷ SYC is a regulated wastewater service provider in portions of Springfield and Shrewsbury Townships, York County. York Water-WW and SYC have filed a joint application for York Water-WW to acquire SYC, at Docket Numbers A-2021-3029231 and A-2021-3029237.

⁸ 66 Pa.C.S. § 1312(a).

⁹ See Ordering Paragraph No. 5.

constitute a determination that any proposed rates are just and reasonable, but that further investigation is not warranted at this time.

VII. PERMITS, EASEMENTS, AND RIGHTS-OF-WAY REQUIRED

The National Pollutant Discharge Elimination System (NPDES) permits for the South Patrol Road (PA0030597-1) and the Rocket Road (PA0044521) WWTPs were provided as the Application's Exhibit L-1 and L-2, respectively. In supplemental information filed with the Commission, York Water-WW provided copies of the Wastewater System's Water Quality Management (WQM) Part II Permit No. 2810401, and a renewed NPDES Permit No. PA0030597, effective January 1, 2022. York Water-WW indicated that it will submit a permit transfer application to the DEP for the Wastewater System's NPDES and WQM Part II Permits. Finally, York Water-WW stated that it will acquire the utility easements and rights of way related to the Wastewater System.

VIII. OPERATIONS UNDER YORK WATER-WW

In the Application, York Water-WW indicated the Wastewater System will easily incorporate into its existing operations and that it has an existing operations presence and wastewater professionals in the area, currently serving customers in Adams, Franklin, and York Counties and in Letterkenny Township. York Water-WW averred it intends to operate the Wastewater System on a standalone basis from its offices in York, Pennsylvania, although its Letterkenny and Amblebrook wastewater treatment plants are located within 27 miles of the Wastewater System. Additionally, York Water-WW indicated that it is not anticipating any physical, operational, or managerial changes as a result of the acquisition and identified the certified operator it intends to assign as the primary operator of the Wastewater System.

IX. ACT 537 OFFICIAL SEWAGE FACILITIES PLANNING

In supplemental information filed with the Commission, York Water-WW provided a copy of Letterkenny Township's 2003 Act 537 Official Sewage Facilities Plan (Act 537 Plan) and a 2019 Act 537 Plan Update. York Water-WW averred that the Letterkenny Township Act 537 Plan and Update do not specifically address any sewerage needs associated with the Depot. Additionally, York Water-WW provided a copy of Greene Township's 2013 Act 537 Plan Update and stated that the 2013 Act 537 Plan Update described revisions needed to serve the existing customers within the established service area and that there is no indication of serving any sewerage needs for the Depot. Finally, York Water-WW provided a copy of Hamilton Township's 2006 Act 537 Plan Update, which described the existing and anticipated sewerage needs for Hamilton Township residents. York Water-WW indicated that the 2006 Act 537 Plan Update provided no indication of the need to serve the Depot and that a review of the included plan maps indicated that the Depot is located outside of the Primary and Secondary Growth areas designated for the township.

X. LAND-USE PLANNING COMPLIANCE

York Water-WW provided copies of planning consistency letters completed and signed by representatives of the Franklin County Planning Commission, dated October 14, 2021, the Greene Township Board of Supervisors, dated October 19, 2021, and the Letterkenny Township Board of Supervisors, dated October 19, 2021, as the Application's Exhibits J, J-1, and J-2, respectively. These compliance verification response letters indicated that the proposed project is consistent with applicable comprehensive plans and/or zoning ordinances. York Water-WW averred that a planning consistency letter from Hamilton Township was not provided because the portion of the requested service territory in Hamilton Township is on federally owned land, not subject to Hamilton Township's zoning ordinances and comprehensive plans.

XI. OTHER CONSIDERATIONS

In the Application, York Water-WW indicated that the Sellers are no longer willing to provide wastewater service to their customers due to the regulatory requirements necessary to continue providing service as well as the difficulties in maintaining a viable wastewater network for a small number of customers. Further, York Water-WW averred that it would bring significant resources to the Sellers' Wastewater System in order to keep it in compliance with both existing and proposed regulatory requirements and no competitive condition will be created by approval of this Application.

Commission correspondence with DEP's Southcentral Regional Office indicated that DEP does not have any pending actions or outstanding complaints against York Water-WW or FCGA. Finally, York Water-WW is current with its financial reports, annual Security Planning and Readiness report filings and has no outstanding fines or assessments due to the Commission.

XII. CONCLUSION

Based upon the fact that York Water-WW will expand its service territory to customers in compliance with Commission regulations; that York Water-WW will be able to meet the needs of new customers without apparent detriment to its existing customers; and that York Water-WW has the technical, financial and legal fitness to own, operate and maintain the Wastewater System; the Commission finds that granting approval of York Water-WW's Application is necessary or proper for the service, accommodation, convenience, or safety of the public and in the public interest;

THEREFORE,

IT IS ORDERED:

1. That the Application of The York Water Company – Wastewater at Docket No. A-2021-3029945, is hereby approved, consistent with this Order.

2. That a Certificate of Public Convenience shall be issued pursuant to Section 1102(a)(3) of the Public Utility Code, 66 Pa.C.S. § 1102(a)(3), evidencing Commission approval of the right of The York Water Company – Wastewater to acquire the wastewater system assets owned by Franklin County General Authority and Letterkenny Industrial Development Authority, as described in the Application.

3. That The York Water Company – Wastewater shall provide written notification to the Secretary’s Bureau within ten (10) days of the closing with Franklin County General Authority and Letterkenny Industrial Development Authority, at Docket No. A-2021-3029945.

4. That following Commission receipt of the notice of closing as required in Ordering Paragraph 3, a Certificate of Public Convenience shall be issued pursuant to Section 1102(a)(1)(i) of the Public Utility Code, 66 Pa.C.S. § 1102(a)(1)(i), evidencing Commission approval of the right of The York Water Company – Wastewater to begin to offer, render, furnish and supply wastewater service to the public in portions of Letterkenny, Greene, and Hamilton Townships, Franklin County, Pennsylvania, consistent with Exhibits D-1 and E-1 through E-4 of the Application.

5. That within ten (10) days following the date of closing, The York Water Company – Wastewater shall file a tariff supplement with the Secretary’s Bureau at Docket No. A-2021-3029945, to become effective on one day’s notice, that is consistent with the revised *pro forma* tariff supplement provided in the Application’s supplemental information, and further revised to exclude The York Water Company – Wastewater’s proposed reservation and reserved capacity fees.

6. That The York Water Company – Wastewater shall file with the Secretary's Bureau at Docket No. A-2021-3029945 a copy of its original cost study of the wastewater system assets acquired from Franklin County General Authority and Letterkenny Industrial Development Authority, with copies served upon the Bureau of Technical Utility Services, the Bureau of Audits, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate, upon completion of the study.

7. That, at the time of filing its next base rate case that proposes to include the assets of this acquisition in rate base, The York Water Company – Wastewater shall provide testimony, specifically referencing Docket No. A-2021-3029945, that justifies any amount claimed in rate base, in order to evaluate the reasonableness of the original cost, contributions, accumulated depreciation, and any utility plant acquisition adjustment claims pursuant to Section 1327 of the Public Utility Code, 66 Pa.C.S. § 1327.

8. That a Certificate of Filing under Section 507 of the Public Utility Code, 66 Pa.C.S. § 507, shall be issued to The York Water Company - Wastewater acknowledging that a copy of the municipal contract between The York Water Company - Wastewater, Franklin County General Authority and Letterkenny Industrial Development Authority for the purchase of wastewater assets is on file with the Commission.

9. That if The York Water Company – Wastewater determines that the transaction will not occur, it shall promptly file notice of such determination with the Secretary's Bureau and return the Certificate of Public Convenience issued in Ordering Paragraph 2.

10. That nothing herein shall be construed as an approval or determination of costs or expenses for the purposes of just or reasonable rates or to exempt The York Water Company – Wastewater from obtaining all necessary permits, licenses, and approvals from other federal, state, and local government agencies having jurisdiction.

11. That a copy of this Order be served upon The York Water Company, the Commission’s Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, the Pennsylvania Department of Revenue’s Bureau of Corporate Taxes, the Letterkenny Township Board of Supervisors, the Greene Township Board of Supervisors, the Hamilton Township Board of Supervisors, the Franklin County Commissioners, the Franklin County Planning Commission and the Department of Environmental Protection - Southcentral Regional Office and its Central Office Bureau of Regulatory Counsel.

12. That upon the issuance of the Certificate of Public Convenience as outlined in Ordering Paragraph 4, or upon the return of the Certificate of Public Convenience issued pursuant to Ordering Paragraph 2, the proceeding at Docket No. A-2021-3029945 be closed.

BY THE COMMISSION,



Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: July 14, 2022

ORDER ENTERED: July 14, 2022