



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

IN REPLY PLEASE  
REFER TO OUR FILE

October 31, 2022

Docket No. L-2020-3019521

To: *All Water Public Utilities*

RE: Act 120 of 2018 – Chapter 65 Lead Service Line Replacement Implementation Outreach

On October 24, 2018, Governor Wolf signed Act 120 of 2018 (Act 120) into law, thereby amending the Public Utility Code at 66 Pa.C.S. § 1311(b) to address the accelerated replacement of customer-owned lead service lines (LSLs) and damaged wastewater sewer laterals (DWSLs). Act 120 set forth a uniform, minimum standard under which jurisdictional water and wastewater utilities may seek to replace LSLs and DWSLs and recover costs associated with replacement.

The purpose of this Secretarial Letter is to remind all water public utilities, or entities as defined in 52 Pa. Code § 65.1, that Chapter 65, Subchapter B – Lead Service Line Replacements, became effective upon publication in the *Pennsylvania Bulletin* on July 23, 2022, and requires each entity to file a petition with the Commission for approval of a Lead Service Line Replacement (LSLR) program prior to the deadlines identified below.

Class A public utilities or authorities *without* Commission-approved preexisting LSLR activities:

- Within 1 year of the effective date of the regulations, by July 22, 2023.

Class A public utilities or authorities *with* Commission-approved preexisting LSLR activities:

- No later than effective date of the rates established under the entity's next base rate case filed after the effective date of the regulations, on July 23, 2022, or within 2 years of effective date, by July 22, 2024, whichever comes first.

Class B and C public utilities or municipal corporations:

- Within 2 years of effective date of the regulations, by July 22, 2024.

In a LSLR program petition, each entity is directed to include, among other things, a LSLR plan, a *pro forma* tariff or *pro forma* tariff supplement containing the proposed changes (without an effective date), and information required by the Commission for filings under 66 Pa.C.S. § 1308. Additionally, as part of its petition, each entity will need to include a service line inventory that complies with the United States Environmental Protection Agency regulation at 40 CFR § 141.1—143.20 as enforced by the Pennsylvania Department of Environmental Protection. Following Commission approval of a LSLR program petition, the entity will be

directed to file a tariff or tariff supplement effectuating its LSLR program as approved by the Commission.

When filing a LSLR program petition with the Commission's Secretary's Bureau, each entity shall serve copies of its petition upon the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and the parties of record in the entity's most recent base rate case.

Further details regarding the LSLR program petition requirements can be found in the Commission's March 14, 2022, Final Rulemaking Order and Annex A thereto as published in the *Pennsylvania Bulletin*. Entities may also reference these documents on the Commission's website at the following URLs:

Final Rulemaking Order – <https://www.puc.pa.gov/pdocs/1737282.pdf>  
Annex A (LSLRs) – <https://www.puc.pa.gov/pdocs/1737278.pdf>

Entities are encouraged to seek potentially available public funds and long-term financing programs to help reduce the cost of a LSLR program to ratepayers. The Pennsylvania Infrastructure Investment Authority (PENNVEST) has funding amounts available for LSLRs through the Drinking Water State Revolving Fund for each of the next five years, through Fiscal Year 2026-2027. Entities should contact the PENNVEST regional project specialist directly for more information on the program at the following URL:

<https://www.pennvest.pa.gov/Services/Pages/Regional-Assistance-New.aspx>

For information regarding the implementation of Act 120 at 52 Pa. Code Chapter 66 – Wastewater Service, please refer to the Commission's Secretarial Letter at the above-referenced docket number.

Any questions about this letter can be directed to Matthew Lamb, P.E., (717) 783-1001 ([mlamb@pa.gov](mailto:mlamb@pa.gov)), or to Clint McKinley, (717) 783-6161 ([cmckinley@pa.gov](mailto:cmckinley@pa.gov)), in the Bureau of Technical Utility Services.

Sincerely,



Rosemary Chiavetta  
Secretary

cc: Christine Hoover, Office of Consumer Advocate, [choover@paoca.org](mailto:choover@paoca.org)  
Teresa Wagner, Office of Small Business Advocate, [tereswagne@pa.gov](mailto:tereswagne@pa.gov)  
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