

December 16, 2022

Via E-File

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105

**Re: Application of Aqua Pennsylvania, Inc. pursuant to Sections 1102, 1329, and 507 of the Public Utility Code for Approval of its Acquisition of the Water System Assets of Shenandoah Borough and MABS
Docket No. A-2022-3034143
Response to Commission's Conditional Acceptance Letter - Ringtown No. 5**

Dear Secretary Chiavetta:

On behalf of Aqua Pennsylvania, Inc. ("Aqua"), please accept this filing made in connection with the above-referenced Application, filed with the Commission on October 6, 2022 pursuant to Sections 1102, 1329, and 507 of the Public Utility Code, 66 Pa. C.S. §§ 1102, 1329, and 507, for approvals related to the acquisition by Aqua of the water system assets of the Borough of Shenandoah (the "Borough")/Municipal Authority of the Borough of Shenandoah ("MABS").

In your letter dated December 9, 2022, conditionally accepting the Application for filing ("Conditional Acceptance Letter"), the Commission requested that Aqua amend the Application by filing a complete copy of the Pennsylvania Department of Environmental Protection's ("PA DEP") Ringtown Dam No. 5, Permit No. 54-04, and that any supplemental materials be verified pursuant to 52 Pa. Code § 1.36.

As previously noted in our filed materials, the PA DEP was not able to locate a copy of Permit No. 54-04 and could not therefore reissue it to Aqua. However, based on additional communications with Mr. Kirk A. Kreider, P.E., Chief of the PA DEP's Division of Dam Safety, he was able to provide confirmation that the permit was issued for Ringtown Dam No. 5 on April 22, 1990, proof of which is reflected in the PA DEP's dams database. A copy of Mr. Kreider's email dated December 14, 2022 with the attached screenshot of the dams database permit is enclosed for filing, along with a verification signed by Mr. William C. Packer.

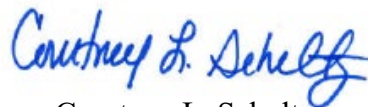
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Aqua hopes that this information will suffice to satisfy the Commission's concern regarding Ringtown Dam No. 5, so that upon verification of compliance with the customer notice requirements in the Conditional Acceptance Letter, acceptance of the Application may occur promptly.

Please do not hesitate to contact me if you have any questions.

Respectfully submitted,



Courtney L. Schultz

Enclosures

cc: All Parties per Certificate of Service

CERTIFICATE OF SERVICE

I, Courtney L. Schultz, hereby certify that a true and correct copy of Aqua Pennsylvania, Inc.'s Application in connection with the above-referenced docket was served on the following individuals on this 16th day of December, 2022, as indicated below.

PA PUC

Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105

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Counsel for Aqua Pennsylvania, Inc.

PADEP Correspondence & Documentation

Ringtown Dam No. 5

From: Kreider, Kirk <kkreider@pa.gov>
Sent: Wednesday, December 14, 2022 7:38 AM
To: Schweiger, Paul G. <pschweiger@GFNET.com>
Subject: RE: [External] RE: Shenandoah - Conditional Acceptance


[EXTERNAL EMAIL]: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Paul, per our phone conversation yesterday, I am attaching a screen shot of our dams database showing that Ringtown No. 5 Dam does have a permit that was issued on 4/22/1990.

Please let me know if this information will suffice. I am also happy to discuss this issue with PUC or anyone else that would be helpful.

Thank you,
Kirk

Kirk A. Kreider, P.E. | Chief
Division of Dam Safety
Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street | Harrisburg, PA 17101
Phone: 717.772.5981 | Fax: 717.772.0409
www.dep.pa.gov

Select Dam Number		Save and Edit Another	Add Record	
Dam Number: 54-004		Save and Close	Return to Edit Mode	Cancel Changes
Name: RINGTOWN NO 5				
Date Added: <input type="text"/>	Newly Identified Existing Dam? <input type="checkbox"/>	Unsafe Details		Dam unsafe? <input checked="" type="checkbox"/>
Dam Number: 54-004		County: SCHUYLKILL	Area Office: NE	
Name: RINGTOWN NO 5		Construction Permit Issued: <input type="text"/>		
Former Name: <input type="text"/>		Operation Permit Issued: 04/22/1990		
Status Code: Existing		Permit Transfer Date: <input type="text"/>		
Stream Name: DRESHER RUN		Former Permittee: <input type="text"/>		
Municipality: UNION TOWNSHIP		Classification: B-1	Existing <input checked="" type="checkbox"/>	
Corps District: Baltimore	Enforcement: <input type="text"/>	Limited Power? <input type="checkbox"/>		
Ownership: Municipal	NID Rating: POOR - Documented Instability	Remarks <input checked="" type="checkbox"/>		
Permittee	City			
MUNICIPAL AUTHORITY OF THE BOF	SHENANDOAH			
				View/Edit Permittee Info

VERIFICATION

I, William C. Packer, Vice President, Regulatory Accounting & Regional Controller of Aqua Pennsylvania, Inc., hereby state that the facts set forth in the letters of Counsel of Aqua Pennsylvania, Inc., dated December 16, 2022 addressing the Ringtown No. 5 dam noted in the Secretarial Letter of December 9, 2022 in the matter at PaPUC Docket No. A-2022-3034143, 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).

William C. Packer

William C. Packer
Vice President, Regulatory
Accounting & Regional Controller
Aqua Pennsylvania, Inc.

Dated: December 16, 2022