



VIA ELECTRONIC FILING

January 5, 2023

Rosemary Chiavetta, Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: Aqua Pennsylvania Wastewater, Inc. Supplement No. 3 to Tariff Sewer-PA P.U.C.
No. 3 at Docket No. R-2022-3037141**

Dear Secretary Chiavetta:

Enclosed please find, in the above-referenced matter, Aqua Pennsylvania, Inc.'s Responses to the following interrogatories of the Bureau of Technical Utility Services, Nos:

- **TUS-R-1 through TUS-R-7**

Should you have any questions regarding this filing, please contact me at (610) 520-6359.

Sincerely,

A handwritten signature in blue ink that reads "Erin Feeney".

Erin M. Feeney
Manager, Rates
Aqua Pennsylvania, Inc.
EFDomzalski@AquaAmerica.com

cc: Certificate of Service

AQUA PENNSYLVANIA WASTEWATER, INC.
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Aqua Pennsylvania Wastewater, Inc. : Aqua Pennsylvania Wastewater, Inc.
Supplement No. 3 to Tariff Sewer-PA P.U.C.
No. 3 at Docket No. R-2022-3037141

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the individuals and in the manner listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant):

VIA EMAIL

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Christine Hoover
Office of Consumer Advocate
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Dated: January 5, 2023

Erin M. Feeney
Manager, Rates
Aqua Pennsylvania, Inc.
762 W. Lancaster Ave.
Bryn Mawr, PA 19010
610-520-6359
EFDomzalski@AquaAmerica.com

Respondent: Erin M. Feeney

Date: 01/05/2023

AQUA PENNSYLVANIA, INC.

DOCKET NO. R-2022-3037141

BUREAU OF TECHNICAL UTILITY SERVICES

SET I DATA REQUESTS

TUS-R-1 Supplement No. 3 to Tariff Sewer-PA P.U.C. No. 3 (Supplement No. 3) specifies that Rider LWCUR is available to “a customer or prospect Large Wastewater customer that [...] [d]ischarges wastewater [...] resulting from industrial processes.” It appears that APW may have intended to indicate that Rider LWCUR is available to a current or prospective Large Wastewater Customer (i.e., where “Large Wastewater” is a condition of rate eligibility), rather than a customer (i.e., any customer) or a prospective Large Wastewater Customer. Please confirm that Rider LWCUR is only available to current or prospective Large Wastewater Customers, or clarify that Rider LWCUR is available to any Customer that discharges wastewater resulting from industrial processes, notwithstanding whether they are a Large Wastewater Customer.

RESPONSE

Aqua Pennsylvania Wastewater, Inc. (“Aqua”) originally intended for the language stated within the rider to read as being only available to current or prospective Large Wastewater Customers. Aqua confirms that Rider LWCUR is only available to current or prospective Large Wastewater Customers.

Respondent: Erin M. Feeney

Date: 01/05/2023

AQUA PENNSYLVANIA, INC.

DOCKET NO. R-2022-3037141

BUREAU OF TECHNICAL UTILITY SERVICES

SET I DATA REQUESTS

TUS-R-2 If Rider LWCUR is only available to current or prospective Large Wastewater Customers, please provide a copy of a revised Supplement No. 3 that replaces the terms “customer or prospect Large Wastewater customer” and “customer or prospective Large Customer” with “current or prospective Large Wastewater customer.”

RESPONSE

Aqua has provided a proposed revised Supplement No. 3 that replaces the terms “customer or prospect Large Wastewater customer” and “customer or prospective Large Customer” with “current or prospective Large Wastewater customer.” Please see the proposed revised Supplement No.3 attached to these responses.

Respondent: Erin M. Feeney

Date: 01/05/2023

AQUA PENNSYLVANIA, INC.

DOCKET NO. R-2022-3037141

BUREAU OF TECHNICAL UTILITY SERVICES

SET I DATA REQUESTS

TUS-R-3 Supplement No. 3 does not define the term “Large Wastewater customer” or “Large Customer.” Also, 52 Pa. Code § 53.25 requires public utilities to provide definitions of technical terms used in tariffs, and 52 Pa. Code § 53.26(a) requires each rate schedule to set forth explicitly the conditions under which a service covered by rates is available. Please provide a copy of a revised Supplement No. 3 that includes definitions for the terms “Large Wastewater customer” and “Large Customer.” These definitions must set forth explicitly the conditions under which a Customer would be considered a Large Wastewater Customer or Large Customer (e.g., annual revenue/usage greater than a specified dollar amount, etc.). Please note that failure to provide definitions of technical terms used in Supplement No. 3 and to set forth explicitly in Supplement No. 3 the conditions under which a service covered by rates is available may result in rejection of Supplement No. 3 in accordance with 52 Pa. Code § 1.38.

RESPONSE

Aqua has defined the term “Large Wastewater Customer” and the qualifications to be considered a “Large Wastewater Customer” within its proposed revised Supplement No. 3. Large Wastewater Customers. Large Wastewater customers are defined as “an industrial class customer that takes or receives wastewater collection, treatment and/or disposal services that exceeds 85,000 gallons of wastewater per month.”

Respondent: Erin M. Feeney

Date: 01/05/2023

AQUA PENNSYLVANIA, INC.
DOCKET NO. R-2022-3037141
BUREAU OF TECHNICAL UTILITY SERVICES
SET I DATA REQUESTS

TUS-R-4 Supplement No. 3 defines “variable Wastewater Treatment Cost” as “electric power and any chemical costs not otherwise covered by any applicable surcharges for BOD, TSS, etc.” Please provide a detailed breakdown of APW’s current variable Wastewater Treatment Cost quantified in dollars.

RESPONSE

Aqua’s current variable Treatment Cost per thousand gallons as of the latest available data is \$.92 per thousand gallon. The variable treatment cost excludes flows that are sent to collection only systems as the Company does not treat these flows.

Respondent: Erin M. Feeney

Date: 01/05/2023

AQUA PENNSYLVANIA, INC.
DOCKET NO. R-2022-3037141
BUREAU OF TECHNICAL UTILITY SERVICES
SET I DATA REQUESTS

TUS-R-5 Please explain why APW does not consider wastewater conveyance and treatment costs imposed by third parties, including expenses recorded under National Association of Regulatory Utility Commissioners Uniform System of Accounts (NARUC USOA) Account No. 710 – Purchased Wastewater Treatment (i.e., wastewater systems where APW conveys wastewater to a third party for conveyance and/or treatment), to be a variable Wastewater Treatment Cost.

RESPONSE

The Company had included several illustrative variable costs within its tariff supplement. However, for purposes of specificity, please see the attached proposed amended tariff supplement for more specific variable costs.

Respondent: Erin M. Feeney

Date: 01/05/2023

AQUA PENNSYLVANIA, INC.
DOCKET NO. R-2022-3037141
BUREAU OF TECHNICAL UTILITY SERVICES
SET I DATA REQUESTS

TUS-R-6 Please explain why APW does not consider sludge removal and disposal expenses, including expenses recorded under NARUC USOA Account No. 711 – Sludge Removal Expense, to be a variable Wastewater Treatment Cost.

RESPONSE

Please see the Company's response to TUS-R-5.

Respondent: Erin M. Feeney

Date: 01/05/2023

AQUA PENNSYLVANIA, INC.

DOCKET NO. R-2022-3037141

BUREAU OF TECHNICAL UTILITY SERVICES

SET I DATA REQUESTS

TUS-R-7 Please explain why APW does not consider fuel for power production, including expenses recorded under NARUC USOA Account No. 716 – Fuel for Power Production, to be a variable Wastewater Treatment Cost.

RESPONSE

Please see the Company's response to TUS-R-5.

AQUA PENNSYLVANIA WASTEWATER, INC.
(hereinafter referred to as the "Company")

RATES, RULES, AND REGULATIONS

GOVERNING THE COLLECTIONS OF

WASTEWATER

IN PORTIONS OF

ADAMS, BERKS, BUCKS, CARBON, CHESTER, CLARION, CLEARFIELD, DELAWARE,
LACKAWANNA, LUZERNE, MONROE, MONTGOMERY, PIKE, SCHUYLKILL, VENANGO,
AND WYOMING COUNTIES

IN THE COMMONWEALTH OF PENNSYLVANIA

ISSUED: December 7, 2022

EFFECTIVE: February 5, 2023

By:

Marc Lucca, President
Aqua Pennsylvania, Inc.
762 Lancaster Avenue
Bryn Mawr, Pennsylvania 19010

NOTICE

THIS TARIFF ESTABLISHES A RIDER FOR LARGE WASTEWATER
CUSTOMERS WHO DISCHARGE WASTEWATER INTO AQUA'S COLLECTION
SYSTEM RESULTING FROM INDUSTRIAL PROCESSES

LIST OF CHANGES MADE BY THIS TARIFF

Changes: This tariff makes changes to establish a rider for large wastewater customers that discharge wastewater into Aqua Wastewater's collection system resulting from industrial processes. Customers who wish to enter into a Service Agreement under this rider must enter the Service Agreement for a term of not less than 3 years and provide a viable competitive alternative to service from the Company. See pages 16 and 17 of the Tariff.

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SCHEDULE OF RATES**RIDER LWCUR – LARGE WASTEWATER CUSTOMER USER****I. Applicability**

The rate applies throughout the territory served under this tariff.

II. Availability

The rider is available to a current or prospective Large Wastewater customer that:

1. Discharges wastewater into Aqua Wastewater's collection system resulting from industrial processes;
2. Enters into a Service Agreement for a term of not less than 3 years; and,
3. Has a viable competitive alternative to service from the Company and, unless a new rate is established, the customer intends to select that alternative to the detriment of the Company and its customers.
4. In addition to 1-3, the Company may consider whether the current or prospective Large Wastewater Customer has made or agrees to make a substantial contribution of capital for facilities or facilities themselves to the Company in order to become or remain a customer and whether a customer plans to locate or retain a substantial facility in the Company's existing or applied-for franchise territory that provides substantial economic development and employment in the immediate local or Commonwealth.

The Company shall require documentation to establish, to the Company's satisfaction, the existence of a competitive alternative along with any other applicable qualifying condition stated above. Such documentation may include, but is not limited to an affidavit of the customer or if, the customer is a corporation, an affidavit of one of more of its senior managers or its officers.

II. Rate

The rate(s) to be charged qualifying customers under this rider shall be negotiated and set forth in the Service Agreement, provided, however, that such rate(s): (1) shall not be less than the Minimum Rate; and (2) shall be subject to an Escalation Clause, as hereafter defined.

Minimum Rate: The Minimum Rate shall be sufficient to recover (1) variable Wastewater Treatment Cost (e.g., electric power and fuel costs for power production, sludge removal and disposal costs, wastewater conveyance costs, any chemical costs not otherwise covered by any applicable surcharges for BOD, TSS, etc.); plus (2) the fixed costs (depreciation and pre-tax return) on the facilities necessary to serve the customer; and (3) some portion of the fixed costs of the Company's wastewater treatment and collection facilities.

SCHEDULE OF RATES

RIDER LWCUR – LARGE WASTEWATER CUSTOMER USER (cont'd)

Escalation Clause: The rate set forth in the Service Agreement shall be subject to an Escalation Clause, during the original and any renewal terms of the Service Agreement, which may be a fixed annual percentage or may be based upon changes in published price indices and/or changes in the Company's cost of service, as the Company and the qualifying customer shall agree.

Filing with the Pennsylvania Public Utility Commission/Confidentiality: Service Agreements entered into between the Company and qualifying customers under this rider shall be filed with the Commission on a confidential basis within thirty (30) days of their execution and shall not be subject to disclosure except by Petition made to and granted by the Commission pursuant to 52 Pa Code §1.74.

RULES AND REGULATIONS**SECTION B – DEFINITIONS (cont'd)**

Equivalent Dwelling Unit or "EDU": The EDU is a measure based upon the estimated average daily wastewater flow for the type of business, as calculated by the Pennsylvania Department of Environmental Protection regulation at 25 Pa. Code § 73.17 divided by the typical estimated average daily wastewater flow from a current single-family unit. In the Company's sole discretion, the Company may assign more than one (1) EDU for a residential Property.

Grinder Pump: Any mechanical or powered device used to grind, macerate or fluidize waste so that it can be discharged into the Company's facilities. This device is a component of the Customer Service Line and the sole responsibility of the Customer to own, maintain and operate along with the balance of their Customer Service Line. The Customer shall be responsible for all power to operate the device in accordance with the manufacturer's specifications and guidelines.

Industrial Waste Permit or Contract: A wastewater permit or contract issued as required by the Company to an industrial user.

Industrial Waste Pretreatment Program: A program established by the Company that requires discharges to monitor, test, treat and control as necessary, pollutants in their wastewater prior to discharge into the sanitary and/or combined sewer.

Large Wastewater Customer: An industrial class customer that takes or receives wastewater collection, treatment and/or disposal services that exceed 85,000 gallons of wastewater per month.

Line Extension: An addition to the Company's System Mains which is necessary to serve the Premises of a Customer.

Main: The Company's pipe, excluding Service Connections, located in a public highway, street, alley, or private right-of-way which pipe is used in transporting Wastewater.

Maximum Allowable Industrial Loading: The maximum mass of pollutants that is allowed to be discharged to the treatment works from all contributory industrial users.

Nondomestic Waste or Industrial Waste: Any wastewater resulting from any process of industry, manufacturing, trade, or business or from the development or recovery of any natural resource, or any mixture of such waste with water or domestic wastewater, as distinct from domestic wastewater.

Person: Any individual, firm, company, association, society, corporation, institution, group, or any other legal entity.

Premise: A single lot or piece of ground consisting of a single residential unit, together with all buildings and structures erected thereon.

Pretreatment: The reduction or elimination of pollutants, or the alteration of the nature of pollutant properties prior to discharging into the wastewater system. This reduction or alteration can be obtained by physical, chemical, or biological processes, by process changes, or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.