



May 19, 2023

VIA E-FILING

Jonathan P. Nase

Direct Phone 717-773-4191
Direct Fax 215-372-2340
jnase@cozen.com

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor – Filing Room
Harrisburg, PA 17120

Re: Tanya J. McCloskey, Acting Consumer Advocate v. Hidden Valley Utility Services, L.P. – Water, Docket No. C-2014-2447138

Tanya J. McCloskey, Acting Consumer Advocate v. Hidden Valley Utility Services, L.P. – Wastewater, Docket No. C-2014-2447169

Joint Stipulation for the Admission of Additional Evidence

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is a Joint Stipulation for the Admission of Additional Evidence in the above-referenced matters. Please note that Attachment 5 is **CONFIDENTIAL** and will be filed separately.

Copies are being served as shown on the attached Certificate of Service.

Please contact me if you have any questions regarding this filing. Thank you.

Sincerely,

COZEN O'CONNOR

By: Jonathan P. Nase

JPN:kmg
Enclosure

cc: Hon. Katrina L. Dunderdale
Nick Miskanic, Legal Assistant to ALJ Dunderdale
Per Certificate of Service
James Kettler

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tanya J. McCloskey, Acting Consumer Advocate	:	
	:	
	:	Docket No. C-2014-2447138
v.	:	
	:	
Hidden Valley Utility Services, L.P. – Water	:	
	:	
and	:	
	:	
Tanya J. McCloskey, Acting Consumer Advocate	:	
	:	
	:	Docket No. C-2014-2447169
v.	:	
	:	
Hidden Valley Utility Services, L.P. – Wastewater	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Joint Stipulation for the Admission of Additional Evidence** upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA E-MAIL AND FIRST CLASS MAIL:

Christine Maloni Hoover, Esq.
Erin L. Gannon, Esq.
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
CHoover@paoca.org
EGannon@paoca.org
Counsel for *Office of Consumer Advocate*

Allison Kaster, Esq.
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17120
akaster@pa.gov
Counsel for *Bureau of Investigation and Enforcement*

Sharon Howard-Frieri
P.O. Box 4126
1174 Gristmill Court
Hidden Valley PA 15502
sharonhoward.frieri@yahoo.com

Robert J. Kollar, CPA and
Kellie A. Kuhleman
1374 Langport Dr.
Pittsburgh, PA 15241
bob@kkacpas.com

Terry L. Fought
780 Cardinal Drive
Harrisburg, PA 17111
foughtbusiness@gmail.com
Consultant for
Office of Consumer Advocate

DATED: May 19, 2023



Jonathan P. Nase, Esquire
Counsel for *Hidden Valley Utility Services, L.P.*

I. BACKGROUND

1. The Stipulating Parties are Joint Petitioners in the Joint Petition for Approval of Unanimous Settlement of All Issues (the “Settlement”) in this proceeding.

2. This Stipulation is being submitted in accordance with the Settlement.

II. STIPULATION

3. The Stipulating Parties hereby jointly stipulate to the admission into the evidentiary record of the attached documents (the “Additional Evidence”). The Additional Evidence, which was exchanged among the Parties during informal discovery in December 2022, is as follows:

a. Laboratory results of HVUS’s finished water during 2021 and 2022 (**Attachment 1**);

b. Laboratory results of HVUS’s raw water during 2021 and 2022 (**Attachment 2**);

c. HVUS’s customer complaint log for 2021 and 2022 (**Attachment 3**);

d. A letter from the Pennsylvania Department of Environmental Protection to HVUS dated May 24, 2022 regarding corrosion control treatment – water quality parameters, and HVUS’s response to that letter (**Attachment 4**); and

e. A report from Liquid Engineering Corporation dated June 23, 2021 regarding HVUS’s water tank (**Attachment 5**). This report is being filed as a **CONFIDENTIAL** document and should be kept in a non-public file.

4. This Stipulation is presented by the Stipulating Parties in conjunction with the Settlement, which is intended to settle all issues in the above-captioned proceedings. If the Administrative Law Judge or the Commission rejects or otherwise modifies the Settlement, the

Stipulating Parties reserve their respective procedural rights to object to the admission of the above-referenced documents, submit additional testimony and exhibits, and cross-examine witnesses at on-the-record evidentiary hearings.

5. This Stipulation is presented, in conjunction with the Settlement, only to resolve issues in the above-captioned proceedings. Regardless of whether this Stipulation is approved, no adverse inference shall be drawn, nor shall prejudice result to any Stipulating Party in this or any future proceeding as a consequence of this Stipulation, or any of its terms or conditions.

III. ORDER GRANTING THE JOINT STIPULATION

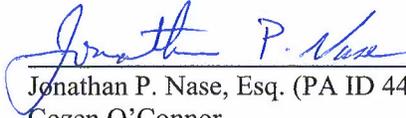
6. Attached hereto as **Attachment 6** is a proposed “Order Granting Joint Stipulation for the Admission of Additional Evidence” for consideration by the Presiding Officer.

IV. REQUEST FOR RELIEF

WHEREFORE, Hidden Valley Utility Services, L.P. (Water and Wastewater), the Office of Consumer Advocate, the Bureau of Investigation and Enforcement, Robert J. Kollar, Kellie A. Kuhleman and Sharon Howard-Frieri respectfully request that the Honorable Administrative Law Judge Katrina L. Dunderdale approve this Stipulation and admit the Additional Evidence into the record in this proceeding on the terms and conditions set forth in this Stipulation.

[Signatures appear on next page.]

Respectfully submitted,



Jonathan P. Nase, Esq. (PA ID 44003)
Cozen O'Connor
17 North Second Street, Suite 1410
Harrisburg, PA 17101
(717) 773-4191
jnase@cozen.com

Counsel for *Hidden Valley Utility Services, L.P.*



Erin L. Gannon, Esq. (PA ID 83487)
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
(717) 783-5048
egannon@paoca.org

Counsel for *Office of Consumer Advocate*

Sharon Howard-Frieri

Robert J. Kollar

Kellie A. Kuhleman

Allison Kaster, Esq. (PA ID 93176)
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-7998
akaster@pa.gov

Counsel for *Bureau of Investigation and Enforcement*

Respectfully submitted,

Jonathan P. Nase, Esq. (PA ID 44003)
Cozen O'Connor
17 North Second Street, Suite 1410
Harrisburg, PA 17101
(717) 773-4191
jnase@cozen.com

Counsel for *Hidden Valley Utility Services, L.P.*

Erin L. Gannon, Esq. (PA ID 83487)
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
(717) 783-5048
egannon@paoca.org

Counsel for *Office of Consumer Advocate*

/s/ Sharon Howard-Frieri
Sharon Howard-Frieri

Robert J. Kollar

Kellie A. Kuhleman

Allison Kaster, Esq. (PA ID 93176)
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-7998
akaster@pa.gov

Counsel for *Bureau of Investigation and Enforcement*

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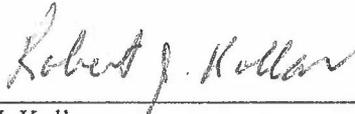
Jonathan P. Nase, Esq. (PA ID 44003)
Cozen O'Connor
17 North Second Street, Suite 1410
Harrisburg, PA 17101
(717) 773-4191
jnase@cozen.com

Counsel for *Hidden Valley Utility Services, L.P.*

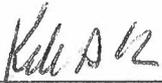
Erin L. Gannon, Esq. (PA ID 83487)
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
(717) 783-5048
egannon@paoca.org

Counsel for *Office of Consumer Advocate*

Sharon Howard-Frieri



Robert J. Kollar



Kelli A. Kuhleman

Allison Kaster, Esq. (PA ID 93176)
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-7998
akaster@pa.gov

Counsel for *Bureau of Investigation and Enforcement*

Respectfully submitted,



Jonathan P. Nase, Esq. (PA ID 44003)
Cozen O'Connor
17 North Second Street, Suite 1410
Harrisburg, PA 17101
(717) 773-4191
jnase@cozen.com

Counsel for *Hidden Valley Utility Services, L.P.*

Allison Kaster, Esq. (PA ID 93176)
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-7998
akaster@pa.gov

Counsel for *Bureau of Investigation and Enforcement*

Erin L. Gannon, Esq. (PA ID 83487)
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
(717) 783-5048
egannon@paoca.org

Counsel for *Office of Consumer Advocate*

Sharon Howard-Frieri

Robert J. Kollar

Kellie A. Kuhleman

ATTACHMENT 1

Laboratory Results

Geochemical Testing

Date: 30-Aug-21

CLIENT:	HIDDEN VALLEY UTILITIES SERVICES LP	Client Sample ID:	Site 101 S Finished Water
Lab Order:	G2108C96		PWS ID# 4560049
Project:		Sampled By:	Hidden Valley
Lab ID:	G2108C96-002	Collection Date:	8/23/2021 10:00:00 AM
Matrix:	GROUNDWATER	Received Date:	8/23/2021 12:09:51 PM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed
INORGANIC METALS						EPA 200.7	EPA 200.7
							Analyst: LEB
Iron	0.11	0.05		mg/L	1	08/24/21 11:15 AM	08/25/21 11:37 AM
Manganese	< 0.010	0.010		mg/L	1	08/24/21 11:15 AM	08/26/21 4:05 PM



Laboratory Results

Geochemical Testing

Date: 28-Oct-21

CLIENT:	HIDDEN VALLEY UTILITIES SERVICES LP	Client Sample ID:	Site 101 S Finished Water
Lab Order:	G2110D88		PWS ID# 4560049
Project:		Sampled By:	Hidden Valley
Lab ID:	G2110D88-002	Collection Date:	10/25/2021 7:40:00 AM
Matrix:	POTABLE WATER	Received Date:	10/25/2021 9:34:19 AM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed
INORGANIC METALS		Analyst: LEB		EPA 200.7 REV 4.4 EPA 200.7 REV 4.4			
Iron	0.10	0.05		mg/L	1	10/26/21 8:40 AM	10/26/21 4:24 PM
Manganese	< 0.010	0.010		mg/L	1	10/26/21 8:40 AM	10/26/21 4:24 PM



Laboratory Results

Geochemical Testing

Date: 25-Feb-22

CLIENT:	HIDDEN VALLEY UTILITIES SERVICES LP	Client Sample ID:	Finished Water Site 101 S
Lab Order:	G2202A94		PWS ID# 4560049
Project:		Sampled By:	Hidden Valley Utility Services
Lab ID:	G2202A94-002	Collection Date:	2/21/2022 7:30:00 AM
Matrix:	POTABLE WATER	Received Date:	2/21/2022 9:55:30 AM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed
INORGANIC METALS						EPA 200.2	EPA 200.7 REV 4.4
							Analyst: LEB
Iron	< 0.05	0.05		mg/L	1	02/22/22 11:15 AM	02/23/22 3:10 PM
Manganese	< 0.01	0.01		mg/L	1	02/22/22 11:15 AM	02/23/22 3:10 PM



Laboratory Results

Geochemical Testing

Date: 20-May-22

CLIENT:	HIDDEN VALLEY UTILITIES SERVICES LP	Client Sample ID:	Finished Water Site 101 S
Lab Order:	G2205858		PWS ID# 4560049
Project:		Sampled By:	Hidden Valley
Lab ID:	G2205858-002	Collection Date:	5/16/2022 9:35:00 AM
Matrix:	POTABLE WATER	Received Date:	5/16/2022 12:27:32 PM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed
INORGANIC METALS						EPA 200.7 REV 4.4	EPA 200.7 REV 4.4
Iron	0.05	0.05		mg/L	1	05/18/22 10:45 AM	05/19/22 7:47 AM
Manganese	< 0.010	0.010		mg/L	1	05/18/22 10:45 AM	05/19/22 7:47 AM

Laboratory Results

Geochemical Testing

Date: 23-Sep-22

CLIENT:	HIDDEN VALLEY UTILITIES SERVICES LP	Client Sample ID:	101 S Finished Water Site
Lab Order:	G2209968		PWS ID# 4560049
Project:		Sampled By:	Hidden Valley Utility Services
Lab ID:	G2209968-002	Collection Date:	9/19/2022 7:40:00 AM
Matrix:	POTABLE WATER	Received Date:	9/19/2022 10:36:23 AM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed
INORGANIC METALS		Analyst: LEB				EPA 200.7 REV 4.4	EPA 200.7 REV 4.4
Iron	0.11	0.05		mg/L	1	09/20/22 11:10 AM	09/21/22 12:20 PM
Manganese	< 0.010	0.010		mg/L	1	09/20/22 11:10 AM	09/21/22 12:20 PM



ATTACHMENT 2

Laboratory Results

Geochemical Testing

Date: 30-Aug-21

CLIENT:	HIDDEN VALLEY UTILITIES SERVICES LP	Client Sample ID:	Raw Water
Lab Order:	G2108C96		PWS ID# 4560049
Project:		Sampled By:	Hidden Valley
Lab ID:	G2108C96-001	Collection Date:	8/23/2021 10:00:00 AM
Matrix:	GROUNDWATER	Received Date:	8/23/2021 12:09:51 PM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed
INORGANIC METALS		Analyst: LEB				EPA 200.7	EPA 200.7
Iron	1.13	0.05	**	mg/L	1	08/24/21 11:15 AM	08/25/21 11:35 AM
Manganese	0.088	0.010	**	mg/L	1	08/24/21 11:15 AM	08/26/21 4:03 PM



Laboratory Results

Geochemical Testing

Date: 28-Oct-21

CLIENT:	HIDDEN VALLEY UTILITIES SERVICES LP	Client Sample ID:	Raw Water
Lab Order:	G2110D88		PWS ID# 4560049
Project:		Sampled By:	Hidden Valley
Lab ID:	G2110D88-001	Collection Date:	10/25/2021 7:30:00 AM
Matrix:	GROUNDWATER	Received Date:	10/25/2021 9:34:19 AM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed
INORGANIC METALS							
		Analyst: LEB					EPA 200.7 REV 4.4
Iron	1.10	0.05	**	mg/L	1	10/26/21 8:40 AM	10/26/21 4:22 PM
Manganese	0.079	0.010	**	mg/L	1	10/26/21 8:40 AM	10/26/21 4:22 PM

Laboratory Results

Geochemical Testing

Date: 25-Feb-22

CLIENT:	HIDDEN VALLEY UTILITIES SERVICES LP	Client Sample ID:	Raw Water R 001
Lab Order:	G2202A94		PWS ID# 4560049
Project:		Sampled By:	Hidden Valley Utility Services
Lab ID:	G2202A94-001	Collection Date:	2/21/2022 7:15:00 AM
Matrix:	GROUNDWATER	Received Date:	2/21/2022 9:55:30 AM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed
INORGANIC METALS						EPA 200.2	EPA 200.7 REV 4.4
							Analyst: LEB
Iron	0.57	0.05		mg/L	1	02/21/22 11:20 AM	02/21/22 8:28 PM
Manganese	0.09	0.01		mg/L	1	02/21/22 11:20 AM	02/21/22 8:28 PM



Laboratory Results

Geochemical Testing

Date: 20-May-22

CLIENT:	HIDDEN VALLEY UTILITIES SERVICES LP	Client Sample ID:	Raw Water
Lab Order:	G2205858		PWS ID# 4560049
Project:		Sampled By:	Hidden Valley
Lab ID:	G2205858-001	Collection Date:	5/16/2022 9:30:00 AM
Matrix:	GROUNDWATER	Received Date:	5/16/2022 12:27:32 PM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed	
INORGANIC METALS		Analyst: LEB			EPA 200.7 REV 4.4 EPA 200.7 REV 4.4			
Iron	0.54	0.05	**	mg/L	1	05/18/22 10:45 AM	05/19/22 7:45 AM	
Manganese	0.099	0.010	**	mg/L	1	05/18/22 10:45 AM	05/19/22 7:45 AM	



Laboratory Results

Geochemical Testing

Date: 23-Sep-22

CLIENT:	HIDDEN VALLEY UTILITIES SERVICES LP	Client Sample ID:	001 R Raw Water
Lab Order:	G2209968		PWS ID# 4560049
Project:		Sampled By:	Hidden Valley Utility Services
Lab ID:	G2209968-001	Collection Date:	9/19/2022 7:30:00 AM
Matrix:	GROUNDWATER	Received Date:	9/19/2022 10:36:23 AM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed
INORGANIC METALS		Analyst: LEB			EPA 200.7 REV 4.4		EPA 200.7 REV 4.4
Iron	0.92	0.05	**	mg/L	1	09/20/22 11:10 AM	09/21/22 12:17 PM
Manganese	0.112	0.010	**	mg/L	1	09/20/22 11:10 AM	09/21/22 12:17 PM



ATTACHMENT 3

Hidden Valley Utility Services LP

2021

Customer Complaints – Water & Sewage

1/1/21	HVW412	Dirty Water. Due to large break at Eagles Ridge.
1/7/21	SF1604	Dirty Water weekend of 1/1/21. Break at Eagles Ridge.
1/14/21	PR2704	Dirty water. Flushed main line.
3/13/21	SF1706	Dirty water. Flushed at hydrant.
4/19/21	PR2704	Dirty water. Pool Filling. Not notified. Flushed main line.
4/25/21	PR2701	Dirty water. Pool filling. Flushed.
5/1/21	HL1105	Dirty water. Flushed HVW blow off.
5/6/21	HL1105	Dirty water. Flushed HVW Blow off.
5/12/21	HC1174	Dirty water. Left message with no contact info, got it the next day.
5/22/21	HL1105	Dirty water. Called answering service. Matt Flushed Blow off 2 hours.
5/23/21	HL1504	Dirty water. Matt talked to 1505 the water is clear. 1504 had a water filter that was never changed.
5/25/21	HC1101	Dirty water from the weekend. Due to main flushing 5/22/21.
6/10/21	PR2701	Dirty water. System flushing.
6/10/21	HC1275	Dirty water. System flushing.
6/11/21	PN2427	Dirty water. System Flushing.
11/20/21	HC1149	Dirty water. ??
12/17/21	FW1704	Low Pressure. Leak on main repaired. Changed water meter.
12/27/21	SW2341	Low pressure. PRV malfunction. Changed water meter.

Hidden Valley Utility Services LP

2022

Customer Complaints – Water & Sewage

1/18/22	OHV445	Sewer back up. Pipe separated 100' from end of driveway.
1/22/22	HVW412	Dirty Water. Due to 6" PRV not shutting. Rebuilt PRV
1/22/22	HTS503	Dirty Water. Due to 6" PRV not shutting. Rebuilt PRV
1/23/22	HL1538	Low pressure. Due to water tank level. Leak testing.
1/23/22	HC1114	Low pressure. Due to water tank level. Leak testing.
1/23/22	PR2704	Dirty water. Due to leaks.
1/23/22	HC1236	Dirty water. Due to leaks.
1/29/22	HL1102	Dirty water. Due to leaks.
1/30/22	HL1102	Dirty water. Shut valve at HVW to PRV.
1/31/22	HL1102	Dirty water. Flushed HVW Blow off.
11/21/22	LKV19B	Sewer back up. Camera showed blockage 65 ' from unit. Gasket rolled in Pipe.

ATTACHMENT 4



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

May 24, 2022

CERTIFIED MAIL NO. 7019 1120 0002 0678 3353

James Kettler, President
Hidden Valley Utility Services, LP
811 Russell Avenue, Suite 302
Gaithersburg, MD 20879

Re: Corrosion Control Treatment – Water Quality Parameters
PWSID No. 4560049
Hidden Valley
Jefferson Township, Somerset County

Dear Mr. Kettler:

It has been brought to the Department's attention that Hidden Valley has not established Water Quality Parameters (WQP's) for their existing corrosion control treatment facility.

In accordance with 25 Pa. Code § 109.1102(b)(2), following completion of construction of corrosion control treatment facilities, Hidden Valley was required to submit a request for a Department designation of Optimal Corrosion Control Treatment (OCCT) performance requirements. Per 25 Pa. Code § 109.1103(c)(1)(ii), this request was required within 30 days of the end of the second follow-up 6-month monitoring period.

Operations permit 5689504-A1 was issued for lead and copper corrosion control via sodium hydroxide on April 7, 2000 (later transferred on December 29, 2008 & again on July 16, 2013), therefore this monitoring for lead, copper, and water quality parameters (WQPs) should have been conducted during the two 6-month periods in the second half (July-December) 2000 and the first half (January-June) 2021. Afterwards Hidden Valley was to submit a request for designation of OCCT performance requirements in July 2001. However, Department data indicates that Hidden Valley did not sample or report sample results for lead, copper, or any WQPs during those periods. Additionally, Hidden Valley has not submitted a request for designation of OCCT performance requirements.

At minimum, this submission for OCCT designation should include the water quality parameters measurements collected as follows:

1. Monitor for one (1) 6-month period to include: at least two (2) sites within the distribution system, two sets of samples taken on different days from the same sample site for:
 - a. pH
 - b. Alkalinity
 - c. Orthophosphate, when an inhibitor containing a phosphate compound is used.
2. At each entry point, one set of samples every 2 weeks for:

- a. pH
- b. When alkalinity is adjusted as part of corrosion control treatment, a reading of the dosage rate of the chemical used to adjust the alkalinity, and the alkalinity concentration.
- c. When a corrosion inhibitor is used as part of corrosion control treatment, a reading of the dosage rate of the inhibitor used, and the concentration of orthophosphate or silica, whichever is applicable.

If Hidden Valley has data available to complete the request for OCCT performance requirements, please submit this data and a request to the Department within the next 30-days. If this data is not currently available, please notify the Department as indicated below, begin monitoring for these WQPs as indicated above, and submit a request to the Department no later than January 30, 2023.

If you have any questions or would like to schedule a meeting to discuss these items, please contact me at 412-442-4209 or johnt@pa.gov

Sincerely,



John W. Thomas
Environmental Group Manager
Safe Drinking Water Program

Hidden Valley Utility Services, LP

811 Russell Avenue, Suite 302
Gaithersburg, Maryland

Fax (301) 990-8973

June 16, 2022

John W. Thomas
Environmental Group Manager
Safe Drinking Water Program
Pennsylvania Department of Environmental Protection

Re: Corrosion Control Treatment – Water Quality Parameters
PWSID No. 4560049
Hidden Valley
Jefferson Township, Somerset County

Dear Mr. Thomas,

We are in receipt of your letter dated May 24, 2022 regarding Water Quality Parameters for existing corrosion control treatment facility. Hidden Valley Utility Services will begin monitoring for the water quality parameters July 1, 2022 and a request for designation of OCCT performance will be submitted to your office before January 2023.

Thank you for bringing this issue to our attention. Let me know if you need additional information or have additional questions.

Sincerely,

James Kettler
President
Hidden Valley Utility Services, LP.
301-252-7832

ATTACHMENT 5 (CONFIDENTIAL)

ATTACHMENT 6

2. The Additional Evidence attached to the Stipulation is admitted into the record of this proceeding on the terms and conditions set forth in the Stipulation.

Date: _____

Katrina L. Dunderdale
Administrative Law Judge