



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

IN REPLY PLEASE
REFER TO OUR FILE

June 6, 2023

Docket No. A-2023-3040661
Utility Code 2326243

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RE: Application of Towamencin Township for approval, *nunc pro tunc*, of the right to begin to offer, render, furnish or supply wastewater service to the public in certain portions of Worcester, Lower Salford, and Franconia Townships and Lansdale Borough, Montgomery County, Pennsylvania

Dear Attorneys Rodgers, Havey and Feller:

On May 12, 2023, Towamencin Township (Towamencin) filed the above-captioned document with the Pennsylvania Public Utility Commission (Commission). For the Commission to complete its analysis of the filing, please respond with the information requested in the attached document.

Please forward the information to the Secretary of the Commission at the address listed below **within ten (10) business days** from the date of this letter. All documents requiring notary stamps must have original signatures. The Commission strongly encourages submission through efiling with the Secretary of the Commission by opening an efilng account through the Commission website and accepting eservice at <https://efiling.puc.pa.gov>. The Commission is accepting all public documents through our efilng system at this time.

If your filing contains confidential material, you are required to either file by overnight delivery or submit to the Secretary’s Share Point File system to ensure the timely filing of your submission. Filers should contact the Secretary’s Bureau in advance to gain access to the Share Point File system. Make sure to reference the Docket Number listed above when filing your response. The overnight address for hard-copy or confidential responses is:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Please note your answers must be verified per 52 Pa Code § 1.36. Accordingly, you must provide the following statement with your responses:

I, [print name of appropriate company representative], hereby state that the facts above set forth 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).

Signature _____
Title _____
Date _____

Please contact the below staff person if any problems should arise that prevent a full response within ten business days or if any clarification of these data requests is needed. Please mark the materials “CONFIDENTIAL” in bold or highlighted manner if any of the requested information is deemed to be of a confidential nature.

In addition, to expedite completion of the review, please send a copy of the response to Matthew T. Lamb, P.E. in the Water/Wastewater Section of the Bureau of Technical Utility Services via e-mail at mlamb@pa.gov. Please also direct any questions to Matthew Lamb at telephone number (717) 783-1001. Thank you in advance for your cooperation.

Sincerely,



Rosemary Chiavetta
Secretary

Enclosure: TUS Data Request Set 1

cc: Patrick Cicero, Office of Consumer Advocate (w/enclosure), ra-oca@pa.gov
Christine Hoover, Office of Consumer Advocate (w/enclosure), choover@paoca.org
NazAarah Sabree, Office of Small Business Advocate (w/enclosure), ra-sba@pa.gov
Nakea Hurdle, Office of Small Business Advocate (w/enclosure), nhurdle@pa.gov
Richard Kanaskie, Bureau of Investigation & Enforcement (w/enclosure), rkanaskie@pa.gov

TUS Data Request Set 1

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Note: Please restate the data request prior to providing a response. In addition, provide the name and title of the person(s) providing the response and/or information for each data request.

A-1. The Application's Exhibit H included a copy of a map entitled "Sanitary Sewer Service Area Map – Properties Served" (Requested Service Territory Map), dated May 5, 2023, prepared by Gilmore & Associates, Inc. Additionally, the Application's Exhibit B included a copy of a map entitled "Sanitary Sewer Service Area Map" (January 2023 Service Area Map), dated January 2023, prepared by Gilmore & Associates, Inc. Please provide responses to the following regarding these exhibits:

- a. The boundaries depicted on the Requested Service Territory Map do not appear to include all areas outside of Towamencin Township's corporate limits as depicted in the January 2023 Service Area Map, which Towamencin Township averred included all its current wastewater service area. Explain this apparent discrepancy and revise the appropriate map(s)/exhibit(s) to include all areas outside of Towamencin Township's corporate limits in that it is currently providing public wastewater service;
- b. The Requested Service Territory Map appeared to include an area south of Kriebel Road that is located within the corporate limits of Towamencin Township as part of its requested service territory. Explain whether Towamencin Township is actually seeking a certificate of public convenience that includes portions of Towamencin Township. Otherwise, provide a revised Requested Service Territory Map that includes only those areas outside of Towamencin Township's corporate limits in that it is currently providing public wastewater service; and
- c. The Requested Service Territory Map appeared to exclude certain parcels of land, which appeared to be undeveloped power line rights-of-way that bisect two adjoining portions of the requested service territory, creating noncontiguous areas (Gap Areas) in the requested service territory within the areas served by the Hollis Hills and Milestone Pump Stations located in Worcester Township. Explain why Towamencin Township did not include the Gap Areas in the requested service territory.

A-2. The Requested Service Territory Map depicted the route and location of the Towamencin Township wastewater collection and conveyance system (Wastewater System) facilities including several portions of the Wastewater System located outside of Towamencin Township's corporate limits, but not included within the requested service territory. These facilities appear to include: a portion of 4-inch diameter force main located in Worcester Township between the Hollis Hillis Pump Station and the boundary of Towamencin Township near Bustard Road; a portion of force main located in Worcester Township between Molly's Country Kennels private pump station and the Towamencin Township municipal boundary near Wentz Church Road; a portion of gravity main

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located in Hatfield Township between Manhole 522 and the Towamencin Township municipal boundary serving Clemens Food Group; and a portion of gravity main located in Lower Salford Township that includes Manholes SC-1 through SC-10, Manholes 500 through 502, and Manhole 354. Please provide responses to the following:

- a. Verify that no other customers are provided service through connections to these facilities at points outside of the requested service territory;
 - b. If any customer is connected to these facilities at a point outside of the requested service territory, revise the Requested Service Territory Map to include those customers within the requested service territory;
 - c. Identify whether each of the above-mentioned portions of the Wastewater System are owned and operated by Towamencin Township or by another entity; and
 - d. If any of these facilities are owned by another entity, provide evidence of Towamencin Township's right to provide wastewater service using these privately owned facilities.
- A-3. The Requested Service Territory Map appears to be missing the following required information: a bearings and distances description of the requested service territory's boundaries, the elevations of major facilities and service areas, and the land area of Towamencin Township's requested service territory quantified in acres. Please provide a revised Requested Service Territory Map that includes all the information required under 52 Pa. Code § 3.501(a)2.
- A-4. The Application's Section 21 indicated Towamencin Township will file a *pro forma* tariff that provides for a stepped increase in rates as outlined in the Application's Section 20 as its initial base rate for the requested service territory. Please provide a *pro forma* tariff that includes the rates, proposed rules and conditions of service applicable to customers within the requested service territory.
- A-5. Please quantify the number of current customers, by customer class and municipality, served by the Wastewater System within the requested service territory.
- A-6. Please quantify the estimated number of customers anticipated to be serviced by the Wastewater System in the requested service territory, by customer class, municipality, and year, for the next 5 years.
- A-7. Please provide evidence that the affected customers have been notified of the filing of this Application and the proposed rates.

TUS Data Request Set 1

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- A-8. Please explain how customers in Towamencin Township's requested territory receive water service (e.g., private on-lot wells, public water service).
- A-9. Please identify all public utilities, municipalities, municipal authorities, cooperatives and associations which provide water or wastewater collection, treatment and disposal service to the public and whose service area abuts the service area proposed in the Application and provide evidence that a copy of the Application has been served on those entities.
- A-10. Please provide a copy of the Pennsylvania Department of Environmental Protection (DEP) approved National Pollutant Discharge Elimination System (NPDES) permit for the Towamencin Township Wastewater Treatment Plant (Towamencin WWTP) along with its associated DEP permit approval letters.
- A-11. Please provide copies of any DEP-approved Water Quality Management (WQM) permits for any part the Wastewater System used to provide service to the requested service territory, including the Rittenhouse Road, Hollis Hills and Milestone pump stations, along with copies of the associated DEP permit approval letters.
- A-12. Please provide a copy of Towamencin Township's DEP-approved Act 537 Official Sewage Facilities Plan (Towamencin Township Act 537 Plan) along with a copy of the DEP approval letter.
- A-13. Please provide a copy of all DEP-approved Act 537 sewage facilities planning modules for various developments and sewer connections within the requested service territory completed since DEP approval of the Towamencin Township Act 537 Plan.
- A-14. Please provide evidence that Towamencin Township's service to the requested service territory complies with the DEP-approved Act 537 Official Sewage Facilities Plans of Towamencin, Worcester, Lower Salford and Franconia Townships and Lansdale Borough.
- A-15. Please quantify Towamencin WWTP's design average day and maximum day hydraulic and organic loading capacities.
- A-16. Please provide copies of the twelve most recent Discharge Monitoring Reports (DMRs) for the Towamencin WWTP.
- A-17. Please provide a copy of Towamencin Township's most recent Chapter 94 Municipal Wasteload Management Report for the Towamencin WWTP submitted to DEP.
- A-18. Please provide a five-year DEP compliance history of Towamencin's WWTP and Wastewater System.

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- A-19. Please provide evidence that Towamencin wastewater treatment facilities possess adequate wastewater collection, treatment, and disposal capacity to meet present and future customer needs of the customers within the requested territory.
- A-20. Please provide evidence that the Application complies with any adopted county and municipal comprehensive plans and applicable zoning designations.
- A-21. Please indicate whether any mandatory connection ordinances are applicable to the requested service territory and, if so, provide copies of the ordinances along with the associated resolutions approving the ordinances.
- A-22. Please provide a detailed breakdown, by major plant category, of the wastewater facilities used to provide service within the requested service territory, including the quantity, size, material type and year of installation.
- A-23. Please identify the original cost, by year and major plant category, of the used and useful plant in service for the requested service territory and the related accrued depreciation calculations.
- A-24. Please provide a breakdown of the sources of funds used to finance the construction of the Wastewater System that provides service to the requested service territory, including, contributed property, any USDA Rural Development grants and loans, H2O PA grants, and PENNVEST loans.
- A-25. Please provide copies of any studies or similar documents utilized by Towamencin Township to determine Towamencin Township's current tapping fees, including any components thereof (i.e., connection fee, customer facility fee, special purpose fee, etc.).
- A-26. Please provide an itemized breakdown of the Application's estimated revenues and expenses for the proposed territory customers. At minimum, the expense breakdown should separate operation and maintenance, annual depreciation, and tax expenses.
- A-27. Please provide a copy of a customer bill issued within the last six months for each type of customer in each separate municipality included in the requested service territory (i.e., residential, non-residential, multi-dwellings, unmetered, and bulk customers).
- A-28. Please provide copies of Towamencin Township's two most recent audited financial statements.
- A-29. Please provide copies of Towamencin Township's two most recent adopted budgets.
- A-30. Please provide a copy of Towamencin Township's most recent annual report filed with the Commonwealth's Department of Community and Economic Development.

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- A-31. In the Application's Section 10, Towamencin Township indicated it began providing wastewater service to customers in the now Hollis Hills Development situated in Worcester Township because Worcester Township did not have the capability to provide wastewater service in that area. Please provide copies of any intermunicipal agreements, resolutions, ordinances, and/or other legal documents executed or adopted by Worcester Township that authorized Towamencin Township to provide wastewater service within Worcester Township.
- A-32. In the Application's Section 11, Towamencin Township indicated that it and Lower Salford Township agreed Towamencin Township would provide wastewater service directly to 22 customers within Lower Salford Township. Please provide copies of any intermunicipal agreements, resolutions, ordinances, and/or other legal documents executed or adopted by Lower Salford Township that authorized Towamencin Township to provide wastewater service within Lower Salford Township.
- A-33. Please quantify the total revenue by year that Towamencin Township collected through rates charged to and received from customers located in Worcester Township broken down by those customers that were connected to the Wastewater System in compliance with the March 30, 1987, Court Order identified in the Application's Section 9 and all other Worcester Township customers, for the four years preceding the filing date of the Application.
- A-34. Please quantify the total revenue by year that Towamencin Township collected, through rates charged to and received from customers located in Lower Salford Township, for the four years preceding the filing date of the Application.
- A-35. Please indicate whether Towamencin Township requires the installation of grinder pumps by customers in the requested service territory. If municipalities that Towamencin Township provides wastewater service have a mandatory grinder pump ordinance, provide a copy of the approved grinder pump ordinance along with the associated resolution approving the ordinances.
- A-36. Please provide copies of the operator's certificates for the Wastewater System's current operators.
- A-37. Please explain how approval of the Application would benefit Towamencin Township's existing customers in the requested service territory.