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**VIA eFiling**

July 26, 2023

Rosemary Chiavetta, Secretary  
Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 2<sup>nd</sup> Floor  
400 North Street  
Harrisburg, PA 17120

**In re: Application of Pennsylvania-American Water Company under Sections 1102(a) and 1329 of the Pennsylvania Public Utility Code, 66 Pa C.S. §§ 1102(a) and 1329, for approval of (1) the transfer, by sale, to Pennsylvania-American Water Company, of substantially all of the assets, properties and rights related to the wastewater collection and treatment system owned and operated by Towamencin Township and Towamencin Municipal Authority, and (2) the rights of Pennsylvania-American Water Company to begin to offer or furnish wastewater service to the public in the Township of Towamencin and portions of the Townships of Franconia, Lower Salford and Worcester and the Borough of Lansdale, all in Montgomery County, Pennsylvania**

**Docket No: A-2023-3039900**

**Pennsylvania-American Water Company Responses to the  
Bureau of Technical Utility Services Deficiencies – June 30, 2023**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission are updated Responses, Questions 17(c) and 23, of Pennsylvania-American Water Company (the “Company”) to the 66 Pa. C.S. Section 1329 Application Completeness Review of Pennsylvania-American Water Company – Wastewater Division Acquisition of Towamencin Township Wastewater System Assets at Docket No. A-2023-3039900.

Copies are being served upon the advocates in accordance with the attached Certificate of Service and in accordance with the Commission’s Final Supplemental Implementation Order entered February 28, 2019 at Docket No. M-2016-2543193.

Rosemary Chiavetta, Secretary

July 26, 2023

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Re: Pennsylvania-American Water Company Responses to the  
Bureau of Technical Utility Services Deficiencies dated June 30, 2023  
Docket No: A-2023-3039900

With this filing, the Company believes its Application is complete and hopes the Commission will conditionally accept its Application. In addition, the Company respectfully requests that the Secretarial Letter conditionally accepting the Application for filing provide a due date for protests and notices of intervention, which is required on the form of notice approved by the Commission in *Application of Pennsylvania-American Water Company Pursuant to Sections 1102 and 1329 of the Public Utility Code for Approval of its Acquisition of the Water System Assets of the Steelton Borough Authority*, Docket No. A-2019-3006880 (Opinion and Order entered Oct. 3, 2019) and found at Application Appendix A-18-d.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Teresa K. Harrold". The signature is fluid and cursive, with a long horizontal stroke at the end.

Teresa K. Harrold

Enclosure

cc: Certificate of Service  
Sean Donnelly, Bureau of Technical Utility Services

66 Pa. C.S. Section 1329 Application Completeness Review  
Pennsylvania-American Water Company – Wastewater Division  
Acquisition of Towamencin Township Wastewater System Assets  
at Docket No. A-2023-3039900

17. Checklist Item No. 20.b. – The Application’s Appendix A-20-b provided copies of the water quality management (WQM) and National Pollutant Discharge Elimination System (NPDES) permits for the Towamencin wastewater collection and conveyance system (Collection System) and the wastewater treatment plant (WWTP). Please provide responses to the following:

a. Appendix A-20-b included a copy of the DEP-approved NPDES Permit No. PA0039004, effective on September 1, 2014, and expired on August 31, 2019, for the WWTP. However, the Application’s Appendix A-24-a.1, Asset Purchase Agreement (APA), Schedule 4.14 indicated a new NPDES permit was expected to be issued in 2022. Provide a copy of the current and unexpired DEP-approved NPDES Permit for the WWTP along with the DEP approval letter.

**Response:** NPDES Permit No. PA0039004, effective on September 1, 2014, and expired on August 31, 2019 is the most current NPDES permit for the WWTP.

b. The APA’s Schedule 4.14 listed WQM Permit No. 4679446 as a permit to be transferred to the Buyer. However, the Application’s Appendix A-20-b does not appear to include a copy of WQM Permit No. 4679446. Provide a copy of WQM Permit No. 4679446.

**Response:** The reference to WQM Permit No. 4679446 in **Appendix A-20-b** was included in error. There is no WQM Permit No. 4679446 associated with Towamencin. Schedule 4.14 will be updated to correct this typo at closing.

c. **Appendix A-20-b** included copies of Part II WQM Permit Applications dated May 3, 2023, submitted to DEP for the Hollis Hills and Milestone Pump Stations. Please provide copies of the DEP-approved WQM Permits for the Hollis Hills and Milestone pump stations along with the DEP approval letters.

**Amended Response:**

Please see **Amended Appendix A-20-b** which includes permits for the Hollis Hills (WQG02462306) and Milestone (WQG02462307) Pump Stations.

d. Identify and provide a copy of the DEP-approved WQM Permit that includes the Rittenhouse Road Pump Station.

**Response:** Please see **Appendix A-20-b** which includes the WQM Permit 4687464 for the Skippack Pump Station, later renamed the Rittenhouse Road Pump Station.

66 Pa. C.S. Section 1329 Application Completeness Review  
Pennsylvania-American Water Company – Wastewater Division  
Acquisition of Towamencin Township Wastewater System Assets  
at Docket No. A-2023-3039900

23. Checklist Item No. 25 – The Application’s Appendix A-25.2 included an agreement between Towamencin, Borough of Lansdale, Township of Upper Gwynedd, Lansdale Sewer Authority, and the Upper Gwynedd-Towamencin Municipal Authority, dated December 29, 1969 (1969 Agreement). The 1969 Agreement referenced an attached Exhibit “D” on Page 10 of 13. However, an Exhibit “D” was not included in the appendix. Please provide a copy of the referenced Exhibit “D”.

**Amended Response:**

Please see a copy of the letter signed by all the parties confirming that Exhibit "D" was never included in the 1969 Agreement, **Attachment 23**.

**Confirmation Non-existence of Exhibit "D" as referenced in  
1969 Intermunicipal Agreement**

**BACKGROUND**

On December 29, 1969, an agreement was entered into among the BOROUGH OF LANSDALE (Lansdale), the TOWNSHIP of Upper Gwynedd (Upper Gwynedd), the TOWNSHIP OF TOWAMENCIN (Towamencin), the LANSDALE SEWER AUTHORITY (Lansdale Authority) and the UPPER GWYNEDD-TOWAMENCIN MUNICIPAL AUTHORITY (Joint Authority), now known as the Towamencin Municipal Authority, all municipalities or authorities organized and existing under the laws of the Commonwealth of Pennsylvania.


The agreement outlined the relationship between the referenced municipalities - sharing common boundaries and having leased sewage collection systems from the Joint Authority and Lansdale Authority. The agreement further described: collection lines located within a municipality, providing service to and/or maintenance by other authorities or municipalities/parties to this agreement. The ownership, maintenance of sewage facilities, services to be rendered and associated rental fees were also noted in this agreement.

Within the agreement, Exhibit "D" is referenced, and described as a plan of the "Sanitary Sewer Map; White's Road - Inglewood Area." In consultation with the other parties to this agreement, it appears this exhibit/plan was not originally attached to the agreement as the exhibit is not included in the respective files of the parties to this agreement.

By signing this letter, you acknowledge that the referenced Exhibit "D" was not included with the agreement, located in your files, and after a good faith search of your files you do not possess this plan separately from the agreement.

In Witness whereof, the representatives of the referenced municipalities and authorities attest to the above statement on July \_\_, 2023.

**Borough of Lansdale**

  
Borough Manager 7/14/2023  
date

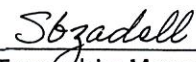
**Lansdale Sewer Authority**

  
Authority Manager 7/19/23  
date

**Towamencin Township**

  
Township Manager 7/14/23  
date

**Upper Gwynedd Township**

  
Township Manager 7/17/23  
date

**Towamencin Municipal Authority**

  
Executive Director 7/17/2023  
date

**Attached: 1969 Agreement**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Application of Pennsylvania-American Water Company under Sections 1102(a) and 1329 of the Pennsylvania Public Utility Code, 66 Pa C.S. §§ 1102(a) and 1329, for approval of (1) the transfer, by sale, to Pennsylvania-American Water Company, of substantially all of the assets, properties and rights related to the wastewater collection and treatment system owned and operated by Towamencin Township and Towamencin Municipal Authority, and (2) the rights of Pennsylvania-American Water Company to begin to offer or furnish wastewater service to the public in the Township of Towamencin and portions of the Townships of Franconia, Lower Salford and Worcester and the Borough of Lansdale, all in Montgomery County, Pennsylvania

Docket No. A-2023-3039900

In re: Application of Pennsylvania-American Water Company under Section 1329 of the Pennsylvania Public Utility Code, 66 Pa C.S. § 1329, for approval of the use for ratemaking purposes of the lesser of the fair market value or the negotiated purchase price of the assets related to the wastewater collection and treatment system owned and operated by Towamencin Municipal Authority and the Township of Towamencin

Docket No. A-2023-\_\_\_\_\_

In re: Petition of Pennsylvania-American Water Company, related to its acquisition of the wastewater collection and treatment system owned and operated by Towamencin Municipal Authority and the Township of Towamencin, for approval under Section 1329 of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1329, to (i) collect a distribution system improvement charge, (ii) for book and ratemaking purposes, accrue Allowance for Funds Used During Construction for post-acquisition improvements not recovered through the distribution system improvement charge, (iii) for book and ratemaking purposes, defer depreciation related to post-acquisition improvements not recovered through the distribution system improvement charge, and (iv) include, in its next base rate case, a claim for transaction and closing costs.

Docket No. P-2023-\_\_\_\_\_



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