



Elizabeth Rose Triscari
Director, Corporate Counsel
852 Wesley Drive | Mechanicsburg, PA 17055
Phone: 717-550-1574 | Fax: 717-550-1255
elizabeth.triscari@amwater.com

September 19, 2023

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105-3265

**In re: Application of Pennsylvania-American Water
Company for Approval of the Right to Offer, Render,
Furnish or Supply Water Service to the Public in an
Additional Portion of Franklin Township, Adams
County, Pennsylvania (Chambersburg Road)**

Docket No. A-2022-3037221

Dear Secretary Chiavetta:

In response to your letter dated July 24, 2023 attached for filing is Pennsylvania-American Water Company's **Supplemental Response** to Data Request Set II, regarding the above referenced docket number.

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Rose Triscari".

Elizabeth Rose Triscari

Enclosure

cc: All Parties on the Attached Certificate of Service (*via electronic mail*)
Clinton McKinley (*via electronic mail*)
Stephen DiFriece (*via electronic mail*)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Application of Pennsylvania-American Water Company for Approval of the Right to Offer, Render, Furnish or Supply Wastewater Service to the Public in an Additional Portion of Franklin Township, Adams County, Pennsylvania :
: **Docket No.**
: **A-2022-3037221**
:
:

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the above-referenced Supplemental Response upon the persons and in the manner indicated below, which service satisfies the requirements of 52 Pa. Code §1.54 (relating to service by a party).

Service in the manner listed below addressed as follows on September 19, 2023

Patrick Cicero, Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
(via electronic mail)

NazAarah Sabree, Small Business Advocate
Office of Small Business Advocate
555 Walnut Street
1st Floor, Forum Place
Harrisburg, PA 17101
(via electronic mail)

Richard Kanaskie, Director
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street
PO Box 3265
Harrisburg, PA 17105
(via electronic mail)



Elizabeth Rose Triscari, Esquire
Attorney ID No. 306921
Director, Corporate Counsel for
Pennsylvania-American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055
Phone: 717-550-1574

Application of Pennsylvania-American Water Company – Wastewater Division for approval of the right to offer, render, furnish and supply wastewater service to the public in an additional portion of Franklin Township, Adams County, Pennsylvania

Docket No. A-2022-3037221

PAWC's Responses to TUS Set II

Supplemental Response

- A-20.** PAWC-WD's response to Data Request A-12 indicated the requested service territory is not included in Franklin Township's Official Sewage Facilities Act 537 Plan (Act 537 Plan), but included a copy of the application the Baumgardner's submitted to the Pennsylvania Department of Environmental Protection (DEP) for a sewage facilities planning module. An application to DEP for a sewer planning module does not provide evidence that the requested service territory complies with Franklin Township's DEP approved Act 537 Plan. Please provide a copy of the completed sewage facilities planning module submitted to DEP for the requested service territory along with evidence of DEP's approval of the same.

Supplemental Response:

On September 13, 2023, PAWC-WD contacted DEP regarding an update of the approval of the Baumgardner's submitted Application. Carrie Wilt of DEP informed PAWC-WD that the Application was approved on July 11, 2023. This letter was previously provided as **Attachment A-20-b**. A copy of the email can be found at **Supplemental Attachment A-20-b**.

Responsible Witness: **Stephen A. DeFriece – Staff Engineer – Engineering Projects
Pennsylvania-American Water Company**

Date: **September 19, 2023**

Jana R Hurst

From: Stephen A DeFriece
Sent: Friday, September 15, 2023 9:51 AM
To: Jana R Hurst
Subject: FW: Approval Letter - Michael R. & Sandra L. Baumgardner, Franklin Township, Adams County
Attachments: 20230711153241693.pdf

As requested

Steve DeFriece
Engineering Project Manager
Pennsylvania American Water
852 Wesley Drive
Mechanicsburg, PA 17055
Phone: 717-550-1608
Mobile: 717-418-7132
Stephen.DeFriece@amwater.com

-----Original Message-----

From: Wilt, Carrie <cawilt@pa.gov>
Sent: Wednesday, September 13, 2023 11:50 AM
To: Stephen A DeFriece <Stephen.DeFriece@amwater.com>
Subject: FW: Approval Letter - Michael R. & Sandra L. Baumgardner, Franklin Township, Adams County

EXTERNAL EMAIL: The Actual Sender of this email is cawilt@pa.gov "Think before you click!".

Good Morning Stephen,

The Baumgardner subdivision was approved back in July, and the approval letter is attached. If you need anything else, feel free to let me know.

Take Care,
Carrie

Carrie Wilt | Sewage Planning Specialist Department of Environmental Protection Southcentral Regional Office
909 Elmerton Ave | Harrisburg, PA 17110
Phone: 717.705.4755 | Fax: 717.705.4760

www.dep.pa.gov

-----Original Message-----

From: Wilt, Carrie

Sent: Tuesday, July 11, 2023 3:38 PM

To: Franklin Twp <info@franklintwp.us>; 15samslane@gmail.com; SLS & Geomatics <sls.geomatics@comcast.net>; Stephen A DeFriece <Stephen.DeFriece@amwater.com>

Cc: sclayton@adamscountypa.gov; Wagner, Timothy <tiwagner@pa.gov>

Subject: Approval Letter - Michael R. & Sandra L. Baumgardner, Franklin Township, Adams County

Hard copy for the Township will follow in the mail.

Carrie Wilt | Sewage Planning Specialist Department of Environmental Protection Southcentral Regional Office

909 Elmerton Ave | Harrisburg, PA 17110

Phone: 717.705.4755 | Fax: 717.705.4760

[https://urldefense.com/v3/__http://www.dep.pa.gov__;!!OJENptLVxUSb3Q3wC4SM5x-ZD0k!g58bXv-3jHyYxHuLJ8U_-GkSru_q2QGg-lbey2HeLnxPWsnm9-vXpnM2U9V51EAc9O1A03c5qq2F0VzzMxom\\$](https://urldefense.com/v3/__http://www.dep.pa.gov__;!!OJENptLVxUSb3Q3wC4SM5x-ZD0k!g58bXv-3jHyYxHuLJ8U_-GkSru_q2QGg-lbey2HeLnxPWsnm9-vXpnM2U9V51EAc9O1A03c5qq2F0VzzMxom$)



July 11, 2023

Franklin Township Board of Supervisors
P.O. Box 309
Cashtown, PA 17310

Re: Approval Letter – Exemption
Act 537 Planning
Michael R. & Sandra L. Baumgardner
DEP CODE NO. A3-01914-443-3E
APS ID No. 1092525, AUTH ID No. 1446735
Franklin Township, Adams County

Dear Supervisors:

The Department of Environmental Protection (DEP) has received the above referenced subdivision plan. This confirms DEP's determination that the above referenced project is exempt from the requirement to revise the Official Plan for new land development. This determination is based in part on municipal and other signoffs. The project consists of a four-lot single-family residential subdivision on 2.7548 acres with total estimated sewage flows of 900 gpd tributary to the PA American Water Company Franklin Township wastewater treatment plant. The proposed development is located at 3131 Chambersburg Road in Franklin Township, Adams County.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
PO Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The

Franklin Township

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July 11, 2023


Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions or concerns, please call Carrie Wilt at 717.705.4755, and refer to DEP Code No. A3-01914-443-3E, Application No. 1092525 and Authorization No. 1446735.

Sincerely,

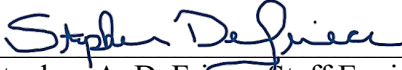


Timothy K. Wagner
Environmental Group Manager

cc: Michael R. & Sandra L. Baumgardner (pdf)
Zlatko S. Petrovich, SLS & Geomatics (pdf)
Stephen A DeFriece, PA American Water (pdf)
Adams County Office of Planning & Development (pdf)

VERIFICATION

I, STEPHEN A. DEFRIECE, hereby state that the facts above set forth in the attached Responses above 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 made herein are made subject to the penalties of 18 Pa. Cons. Stat. §4904 relating to unsworn falsification to authorities.



Stephen A. DeFriece, Staff Engineer
Pennsylvania-American Water Company

Date: 9/19/2023