

April 19, 2024

Via E-File

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

RE: Application of Aqua Pennsylvania Wastewater, Inc. pursuant to Sections 1102, 1329, and 507 of the Public Utility Code for Approval of its Acquisition of the Wastewater System Assets of Greenville Sanitary Authority
Docket No. A-2023-3041695

Dear Secretary Chiavetta:

On behalf of Aqua Pennsylvania Wastewater, Inc. (“Aqua”), please accept this filing made in connection with the above-referenced Application, filed with the Commission on November 17, 2023 pursuant to Sections 1102, 1329, and 507 of the Public Utility Code, 66 Pa. C.S. §§ 1102, 1329, and 507, for approvals related to the acquisition by Aqua of the wastewater system assets of the Greenville Sanitary Authority (“GSA”). In connection with its review of the Application and supplemental information filed by Aqua in January and February, 2024, the Bureau of Technical Utility Services (“TUS”), via email on March 6, 2024, identified four additional requests for information: Nos. 28 through 31. With this letter, Aqua provides the information for the final request outstanding, No. 30. Also included with this letter is the Verification of William C. Packer verifying the information presented in this letter.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Courtney L. Schultz

Encls.

Cc: All Parties Per Certificate of Service

April 19, 2024

Page 2

Information Request No. 30:

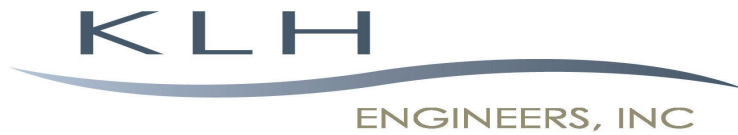
Checklist Item No. 22.a. – Missing Application Information Item No. 21 requested a demonstration of compliance with the DEP Approved Act 537 Official Sewage Facilities Plan (Act 537 Plan) for the affected municipalities, including any related revisions (i.e., special studies, planning modules, etc.) and exemptions. In response, APW provided a copy of the 1997 Sewage Facilities Planning Module (1997 Module) and the 2016 Act 537 Special Study (2016 Study). APW's submission of the 1997 Module and 2016 Study satisfied Checklist Item No. 22.b., which requires copies of the Act 537 Plan. However, APW did not provide evidence that demonstrated compliance with the Act 537 Plan as required by Checklist Item No. 22.a. Please demonstrate compliance with the Act 537 Plan, 1997 Module and 2016 Study by describing GSA's compliance to specific terms of the documents provided including the extent of the requested service territory or an equivalent statement of compliance.

RESPONSE:

Included with this letter is documentation from KLH Engineers, Inc. demonstrating GSA's specific compliance with the 1997 Module and the 2016 Study as requested.

Information Request No. 30

KLF Compliance Letter



April 18, 2024
Ref. No. 502-22

Mr. Alexander R. Stahl
Regulatory Counsel
Aqua Pennsylvania
762 W. Lancaster Avenue
Bryn Mawr, PA 19010

Dear Mr. Stahl:

**Aqua Pennsylvania
Greenville Sanitary Authority Acquisition
Act 537 Planning Summary**

KLH Engineers, Inc. (KLH) is providing this letter on behalf of Aqua Pennsylvania Wastewater and the Greenville Sanitary Authority in response to Checklist Item No. 22.a. requesting a demonstration of compliance with previous Act 537 planning undertaken by the Greenville Sanitary Authority. The request specifically refers to the 1997 Sewage Facilities Planning Module (1997 Module) and the 2016 Act 537 Special Study (2016 Study).

The 1997 Module was developed for construction of gravity sewers and pump stations to service Lincoln/Barrett Street, North Mercer Street/Penn Avenue, and North Front Street/Hoffman Avenue in Greenville Borough. That work was completed in 1997.

The 2016 Study was developed for upgrades of the Greenville Borough Sewage Treatment Plant. The 2016 Study was initiated as a proactive approach to project planning to replace the aging infrastructure of the plant. The plant has demonstrated exceptional performance since completion of the last significant upgrade. However, the facilities continue to operate beyond the reasonable operating life of these facilities. Since the approval of the 2016 Study, the project permitting has been completed. However, once discussions about Aqua Pennsylvania Wastewater's acquisition of the Greenville Sanitary Authority system began, no further progress has been made.

On December 27, 2021, the Greenville Sanitary Authority entered into a Consent Order and Agreement with the Pennsylvania Department of Environmental Protection (PADEP) to resolve violations of the Clean Streams Law at the Greenville Borough Sewage Treatment Plant specifically related to permitted exceedances for Total Residual Chlorine (TRC). The Consent Order and Agreement required the Greenville Sanitary Authority to start construction of the upgrades of the Greenville Borough Sewage Treatment Plant by January 1, 2024. On March 6, 2024, the Greenville Sanitary Authority received a Notice of Breach of Consent Order and Agreement. The Greenville Sanitary Authority met with the PADEP on April 4, 2024, to discuss the Notice of Breach of Consent Order and Agreement. The Greenville Sanitary Authority was directed to amend its Act 537 Plan to indicate the intent to sell the system.

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Aqua Pennsylvania
April 18, 2024
-Page Two-

In the meantime, the Greenville Sanitary Authority is exploring alternatives to implement a pilot system for dechlorination. The PADEP indicated they would amend the Consent Order and Agreement based on the above. Aqua Pennsylvania Wastewater will evaluate necessary future improvements to address any outstanding violations upon acquisition of the system.

Should you have any questions or require additional information, please do not hesitate to contact our office.

Very truly yours,

KLH Engineers, Inc.

A handwritten signature in blue ink, appearing to read "Samuel R. Gibson".

Samuel R. Gibson, P.E.
Vice President

VERIFICATION

I, William C. Packer, Vice President, Regulatory Accounting & Regional Controller of Aqua Pennsylvania Wastewater, Inc., hereby state that the facts set forth in the letter of Counsel of Aqua Pennsylvania Wastewater, Inc., dated April 19, 2024 addressing information requests of the Bureau of Technical Utility Services in the matter at Docket No. A-2023-3041695, 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).

A handwritten signature in blue ink, appearing to read "William C. Packer", written over a horizontal line.

William C. Packer
Vice President, Regulatory Accounting &
Regional Controller
Aqua Pennsylvania Wastewater, Inc.

Dated: April 19, 2024

Application of Aqua Pennsylvania Wastewater, Inc. pursuant to Sections 1102, 1329, and 507 of the Public Utility Code for Approval of its Acquisition of the Wastewater System Assets of Greenville Sanitary Authority

BPU Docket No.: A-2023-3041695

CERTIFICATE OF SERVICE

I, Courtney L. Schultz, Esquire, hereby certify that I am on this day, serving copies of Aqua Pennsylvania’s Responses to Bureau of Technical Utility Services Set 2 Deficiency No. 30, upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant):

<p><u>PA PUC</u> Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street Harrisburg, PA 17105 Rosemary Chiavetta, Secretary rchiavetta@pa.gov</p> <p>Angel Elwell, Office Administrator anelwell@pa.gov</p> <p>Office of Special Assistants Pennsylvania Public Utility Commission 400 North Street Harrisburg, PA 17105 Ra-OSA@pa.gov</p> <p><u>TUS</u> Paul Diskin, Director pdiskin@pa.gov</p> <p>Darren Gill, Deputy Director dgill@pa.gov</p> <p>Daniel Searfoorce, Manager dsearfoorc@pa.gov</p> <p>Sean Donnelly sdonnelly@pa.gov</p> <p>Clinton McKinley cmckinley@pa.gov</p>	<p>Paul Zander pzander@pa.gov</p> <p>Manasi Deshpande mdeshpande@pa.gov</p> <p>James Kennedy jameskenne@pa.gov</p> <p>Matt Lamb mlamb@pa.gov</p> <p><u>OSBA</u> Rebecca Lyttle, Esquire Steven C. Gray, Esquire Office of Small Business Advocate relyttle@pa.gov sgray@pa.gov</p> <p>Brian Kalcik, Expert Excel.consulting@sbcglobal.net</p> <p><u>OCA</u> Gina L. Miller, Assistant Consumer Advocate Jacob D. Guthrie, Assistant Consumer Advocate Office of Consumer Advocate GMiller@paoca.org JGuthrie@paoca.org</p>
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Aqua

Alexander R. Stahl
ASTahl@aquaamerica.com



By: _____

Courtney L. Schultz, Esquire
PA Attorney No. 306479

Date: April 19, 2024