
Devin Ryan

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717-612-6052 Direct
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File #: 202044

June 21, 2024

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: In the Matter of the Application of The York Water Company, Under Sections 1102(a)(1) and 1102(a)(3) of the Public Utility Code, For Approval of the Right of The York Water Company To: (1) Acquire Certain Wastewater Facilities of Margaretta MHP, LLC; and (2) Begin To Offer, Render, Furnish and Supply Wastewater Service to the Public in an Additional Portion of Lower Windsor Township, York County, Pennsylvania

Dear Secretary Chiavetta:

Enclosed for filing is the Application of The York Water Company (“York Water”) in the above-referenced proceeding. The filing fee in the amount of \$350.00 will be provided at the time of the filing. As set forth in the Application, York Water respectfully requests that the Commission issue its final ruling on the Application by its public meeting scheduled for October 10, 2024, in order to facilitate the timely closing of the transaction.

York Water notes that Proprietary and Non-Proprietary copies of the Joint Application are being submitted. The Non-Proprietary version is enclosed and is being electronically filed through the Pennsylvania Public Utility Commission’s (“Commission”) eFiling website. The Proprietary version is not enclosed and is being uploaded separately to the Commission’s ShareFile folder for confidential filings.

The Proprietary version contains proprietary and competitively-sensitive nature, namely Exhibit C, which is a copy of the Purchase Agreement. Accordingly, York Water respectfully requests that the Proprietary version of the Joint Application be afforded proprietary treatment and placed in a non-public folder.

Rosemary Chiavetta, Secretary
June 21, 2024
Page 2

Additionally, under separate cover, York Water is sending the Commission a CD containing PDF copies of the Proprietary and Non-Proprietary versions of the Joint Application.

The parties listed on the enclosed Certificate of Service are being served with the Non-Proprietary copy of the Joint Application.

Copies are being provided as indicated on Certificate of Service.

Respectfully submitted,



Devin Ryan

DR/ks
Attachments

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the filing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL

NazAarah Sabree
Small Business Advocate
Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101
ra-sba@pa.gov

Allison Kaster, Esquire
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
P.O. Box 3265
Harrisburg, PA 17105-3265
akaster@pa.gov

Patrick Cicero, Esquire
Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
pcicero@paoca.org

VIA CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Lower Windsor Twp Planning Commission
Lower Windsor Twp Community Center
2425 Craley Road
Wrightsville, PA 17368

York County Commissioners
York County Administrative Center
28 East Market Street
Lancaster, PA 17603

York County Planning Commission
York County Administrative Center
28 East Market Street
Lancaster, PA 17603

Department of Environmental Protection
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Date: June 21, 2024



Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

IN THE MATTER OF THE APPLICATION OF :
THE YORK WATER COMPANY, Under :
Sections 1102(a)(1) and 1102(a)(3) of the Public :
Utility Code, for approval of the right of THE : Docket No. A-2024-_____

YORK WATER COMPANY to: (1) acquire :
certain wastewater facilities of MARGARETTA :
MHP, LLC; and (2) begin to offer, render, furnish :
and supply wastewater service to the public in an :
additional portion of Lower Windsor Township, :
York County, Pennsylvania :

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. Name and Address of Applicant:

THE YORK WATER COMPANY
130 East Market Street
York, PA 17401

2. Name and Address of Applicant's Attorneys:

Devin T. Ryan, Esq.
Post & Schell, P.C.
One Oxford Centre
301 Grant Street, Suite 3010
Pittsburgh, PA 15219
dryan@postschell.com

Michael W. Hassell, Esq.
Megan E. Rulli, Esq.
Post & Schell, P.C.
17 North Second Street – 12th Floor
Harrisburg, PA 17101-1601
mhassell@postschell.com
mrulli@postschell.com

3(a). Brief Corporate History and Purpose:

Under Special Act of the Assembly of February 8, 1816, York Water was incorporated under the laws of the Commonwealth of Pennsylvania on February 23, 1816, for the

purpose of supplying water in the Borough, now the City of York, York County, Pennsylvania. Over the last 200 years after incorporation, York Water has extended its franchised territory from time to time so as to include a number of Pennsylvania municipalities in which water service and wastewater service is now being rendered as more fully set forth in Paragraph 4 below and depicted in **Exhibit A** (Service Territories) hereto.

York Water has amended its Corporate Charter a number of times by filing Articles of Amendment with the Pennsylvania Department of State. The Department of State has issued Certificates of Amendment to York Water June 29, 1990,¹ February 28, 1994,² May 20, 1996, March 3, 1997,³ May 1, 2000,⁴ and September 11, 2006. The Company's Articles of Incorporation were amended on May 3, 2010, when York Water was initiating wastewater services.⁵ The amended and restated Articles authorize the Company to provide water service in the areas that are the subject of this Application.

3(b). Description of Service Furnished to the Public:

York Water now furnishes water service to the public in the major portion of its franchised water territory and now furnishes wastewater service to portions of its franchised wastewater territory, as described more fully in Paragraph 4 below and **Exhibit A** hereto.

By this Application, York Water seeks to acquire the existing Margareta Mobile Home Park wastewater collection system ("Wastewater Collection System"), which is owned and operated by Margareta MHP, LLC ("Seller"), and certain facilities related thereto and necessary to provide wastewater service to the current system customers ("Wastewater System Assets").

¹ Microfiche #9033866-903870

² Microfiche #09415.0349-0352

³ Microfilm #09719.1725-1727

⁴ Microfilm #200035.389-392

⁵ Microfilm #8524-8528

3(c). Amount of Stock and Bonds:

York Water has authorized 46,500,000 shares and the total issued, and outstanding is 14,333,656 shares of Common Stock as of February 29, 2024, with no stated par value. York Water has in force and effect an Optional Dividend Reinvestment and Direct Stock Purchase and Sale Plan, an Employee Stock Purchase Plan, and a Long-Term Incentive Plan.

Outstanding as of February 29, 2024, are the following Senior Notes, Industrial Development Authority Revenue Bonds, and Pennsylvania Economic Development Financing Authority Exempt Facilities Revenue Refunding Bonds:

3.00% Pennsylvania Economic Development Financing Authority Exempt Facilities Revenue Bonds Series A of 2019, due 2036 (Securities Certificate No. S-2019-3011066 of 2019)	10,500,000
Variable Rate Exempt Facilities Revenue Refunding Bonds, Series 2008A, due 2029 (Securities Certificate No. S-00041015 of 2004)	12,000,000
3.10% Pennsylvania Economic Development Financing Authority Exempt Facilities Revenue Refunding Bonds, Series B of 2019, due 2038 (Securities Certificate No. S-2019-3011066 of 2019)	14,870,000
3.23% Senior Notes, due 2040 (Securities Certificate No. S-2019-3011035 of 2019)	15,000,000
4.00% - 4.50% York County Industrial Development Authority Exempt Facilities Revenue Bonds, Series 2015, due 2029 – 2045 (Securities Certificate No. S-2014-2405684 of 2014)	10,000,000
4.54% Senior Notes, due 2049 (Securities Certificate No. S-2018-3006371 of 2018)	20,000,000
3.24% Senior Notes, due 2050 (Securities Certificate No. S-2020-3020763 of 2020)	30,000,000

5.50% Senior Notes, due 2053 (Securities
Certificate No. S-2022-3036828 of 2023)

40,000,000

4. Location of Existing Service Area of York Water:

York Water is now furnishing wastewater service to the public in portions of ten (10) municipalities in York County, a portion of one (1) township in Adams County, a portion of one (1) township in Lancaster County, and a portion of three (3) municipalities in Franklin County. See **Exhibit A** (Map of Current Wastewater Territory.) The wastewater community served has an estimated population of approximately 16,700 as of February 29, 2024, with wastewater service furnished to approximately 6,419 customers as of February 29, 2024.⁶

5. Proposed Acquisition and Expansion of Service Territory:

Pursuant to Section 1102 of the Public Utility Code, 66 Pa. C.S. § 1102, York Water respectfully requests that the Commission: (1) approve York Water's acquisition of the Seller's existing Wastewater System Assets⁷; and (2) authorize York Water to begin to offer, render, furnish, and supply wastewater service to the public in the requested additional service territory, including certain portions of Lower Windsor Township, York County, Pennsylvania ("Requested Territory"), as shown and depicted on the map attached hereto as **Exhibit B** (Proposed Wastewater

⁶ All such wastewater service rendered to the public has been approved by virtue of the authority granted initially in York Water's Charter by Special Act of Assembly of February 8, 1816, and at various times subsequently by Certificates of Public Convenience duly granted by the Pennsylvania Public Service Commission and by the Commission under The Public Service Company Law, Public Utility Law and/or Public Utility Code of Pennsylvania.

In addition, York Water is now furnishing water service to the public in the major portion of its franchised territory which contains all or portions of 55 municipalities across four (4) counties (**Exhibit A**). The water community served has an estimated population of approximately 204,000 as of June 30, 2023, with water furnished to 71,875 customers as of February 29, 2024. Of these, there were 4,506 commercial customers, 298 industrial customers, 65,372 residential customers, and 1,700 public, bulk, and fire protection customers.

⁷ Seller does not hold a certificate of public convenience from the Commission to provide wastewater service and does not currently charge for wastewater service. Therefore, the facilities to be acquired are not currently in the public service. Notwithstanding, York Water seeks all necessary approvals of this Application under Section 1102(a) generally to acquire the wastewater collection facilities of Margaretta MHP, LLC and to offer wastewater service to all residents of the Margaretta Mobile Home Park.

Charter Territory). The Margaretta Mobile Home Park has 85 lots for manufactured homes,⁸ 61 of which are currently occupied, 5 of which have vacant homes under renovation, and 19 of which are vacant.

The metes and bounds description of the Requested Territory is included in **Exhibit B** (Requested Territory and Metes & Bounds). **Exhibit B** (B-1, B-2, B-3) include a scale reference, north arrow, and description of public and private roads relative to the Requested Territory, the acreage of this Requested Territory is approximately 51.1 acres and 0.08 square miles.

York Water and Seller have reached an agreement regarding the acquisition of the Wastewater Collection System, as evidenced by the executed Purchase Agreement, dated February 7, 2024, and attached hereto as **Exhibit C** (Agreement) (**CONFIDENTIAL**). The Wastewater Collection System currently can provide wastewater service to 85 total connections in portions of Lower Windsor Township, York County, Pennsylvania. York Water requests that the Commission issue an Order and Certificates of Public Convenience approving and addressing the items requested in this Application.

6. Additional Capital Requirements:

The Purchase Agreement between York Water and the Seller was executed on February 7, 2024. The purchase price for the Margaretta Mobile Home Park Wastewater System Assets is One Dollar (\$1.00) (**Exhibit C – CONFIDENTIAL**). The purchase price and Asset Purchase Agreement are the result of an arm's length negotiation and transaction.

Additionally, York Water has acquired a permanent utility easement necessary to maintain the Seller's Wastewater System Assets for One Dollar (\$1.00) as agreed upon in the Permanent Utility and Access Easement Agreement ("Easement Agreement") executed on

⁸ The reference in the Purchase Agreement to 84 lots was a typographical error; the Park contains 85 lots.

February 7, 2024, and attached hereto as **Exhibit D**. The permanent utility easement purchase price is the result of an arms' length negotiation and transaction.

York Water will begin providing service to the customers currently served by Seller following issuance of the Certificate of Public Convenience to York Water and consummation of the purchase at 8:00 AM on the first Monday following the Closing. Closing is contingent upon York Water obtaining Commission approval of this acquisition and the completion of the construction of the wastewater main discussed below. At all times between the date on which the Commission approves the Application and the date of Closing, Seller will continue providing wastewater service to its customers and operating wastewater collection system. Following acquisition of the Seller's Wastewater System Assets, York Water will operate the existing wastewater collection system as part of its wastewater operations.

In addition to the purchase price for the Wastewater System Assets to be paid at Closing, York Water's initial capital requirements for the wastewater service extension will consist of costs to extend a wastewater main: (a) from the Lower Windsor Wastewater Treatment plant east along East Prospect Road toward the intersection with West Maple Street ; (b) south down Prayer Mission Road to toward the intersection with Furnace Road; (c) west along Furnace Road; and (d) likely down 1st Street in the Margareta Mobile Home Park community. York Water owns and operates the Lower Windsor Wastewater Treatment Plant, which is located near the Margareta Mobile Home Park and at which treatment capacity is available and sufficient to accept and treat wastewater from the Margareta Mobile Home Park in compliance with permit authorizations. York Water estimates that the wastewater main extension to connect the Wastewater Collection System to the Company's Lower Windsor Wastewater Treatment Plant will cost approximately \$350,000. The cost of this work will be financed by internally generated funds, proceeds from the

issuance of common stock under York Water's dividend reinvestment and direct stock purchase and employee stock purchase plans, and, if necessary, borrowings against York Water's lines of credit. The main extension described in this Paragraph will be completed and in service prior to Closing, at which time York Water will issue a "Notice of Completion of Facilities" to Seller.⁹ There are no future system improvement plans other than those identified in this Paragraph at this time.

Furthermore, there have been no contributions toward the construction of the Margareta Mobile Home Park wastewater system, and the wastewater system has no outstanding PENNVEST loans.

York Water and Seller are not seeking to establish fair market value or a determination of ratemaking rate base under the provisions of Section 1329 of the Public Utility Code. *See* 66 Pa. C.S. § 1329. The final purchase price was established as a result of an arm's length negotiation. The price offered by York Water considered, among other things, the age, material, and condition of the Wastewater System Assets, as identified by Seller and as compared to similar assets in York Water's existing inventory of assets. York Water also considered the proximity of the Seller's Wastewater Collection System to York Water's existing wastewater facilities, and Seller's desire to exit the wastewater utility service sector.

7. Plant in Service and Plant to Be Acquired:

Financial Statements of York Water for 2023 are attached hereto as:

- **Exhibit E** (Plant in Service) is a summary, by major plant category, of used and useful plant in service of York Water as of December 31, 2023.

⁹ The Closing date will be designated on or about the last working day of the calendar quarter following a "Notice of Completion of Facilities" issued to Seller by York Water, unless both Parties agree to an alternate Closing Date.

- **Exhibit F** (Balance Sheet) is a balance sheet of York Water as of December 31, 2023, which provides the capitalization of the Company.
- **Exhibit G** (Income Statement) is the income statement of York Water as of December 31, 2023.

York Water will acquire the Seller's Wastewater System Assets as defined in the Purchase Agreement (**Exhibit C**) (**CONFIDENTIAL**), the entirety of which is located in the Requested Territory. Additionally, York Water will acquire the permanent utility easement necessary to operate and maintain the Seller's Wastewater Collection System as defined in the Easement Agreement and attached hereto as **Exhibit D**.

An inventory and description of the Wastewater System Assets to be acquired can be found in Appendices A and A-1 of the Purchase Agreement (**Exhibit C - CONFIDENTIAL**). That inventory and description was developed based on York Water's preliminary investigation. A map of the Wastewater System Assets is attached hereto as **Exhibit H**. York Water continues to investigate the Wastewater System Assets further and will develop a more accurate inventory and description of the Wastewater System Assets to be acquired. When that investigation is complete, York Water will supplement **Exhibit H** with that more accurate inventory and description of the Wastewater System Assets. At present, York Water estimates that the major Wastewater System Assets include three collection tank subsurface lift stations and approximately 9,123 linear feet of various 1", 2", 3", 4" or 6" gravity sewer mains (collection and effluent). All components are installed and are in service.

Currently, the wastewater main(s) of the Wastewater Collection System pass under the mobile home units, and flow is directed from each residential unit directly into the main, creating no or very few "customer side laterals" to the connection. This engineering configuration

does not conform to best engineering practices, complicates proper and regular maintenance, and presents certain risks to workers and residents. Pursuant to the Purchase Agreement, after Closing, York Water may move its main(s) into the roadway right of way or such other point of connection in a right of way or other location as authorized in the Easement Agreement (**Exhibit D**). The decision to move relocate the main(s) is entirely within York Water’s sole discretion, and Seller has agreed to pay the cost to relocate, extend, and install the customer lateral from each residential unit to the then relocated main in accordance with York Water design and engineering specifications (**Exhibit C – CONFIDENTIAL**). In addition, if the main(s) are relocated after closing, Seller will retain ownership, operation, and maintenance responsibility for the reconfigured customer side of the service (*Id.*).

The original cost of the wastewater system components is not available from the Seller. York Water will perform an original cost study for the purchase of the Wastewater System Assets. A more detailed listing and description of assets will be provided when the original cost study is completed and submitted.

The tentative journal entries for booking the purchase of Seller’s Wastewater System Assets are shown in the tables below.

1. Record Purchase of System

Account No.	Account Description	Debit	Credit
105	Construction Work in Process	20,001	
131	Cash		20,001

2. Close Project to Utility Plant

Account No.	Account Description	Debit	Credit
101	Utility Plant in Service	43,964	
108	Accumulated Depreciation		20,885
114	Utility Plant Acquisition Adjustment		3,078

105	Construction Work in Process (Purchase price + other acquisition costs)		20,001
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3. Record Other Project Costs

Account No.	Account Description	Debit	Credit
105	Construction Work in Process	50,000	
224	Line of Credit Borrowings (SCADA)		50,000 ¹⁰

4. Close Projects to Utility Plant

Account No.	Account Description	Debit	Credit
101	Utility Plant in Service	50,000	
105	Construction Work in Process (SCADA)		50,000

8. Map of Service Areas and Location of Facilities to Be Acquired:

The Wastewater Collection Asset Map (**Exhibit H**) depicts the existing Margareta Mobile Home Park wastewater service area and the general location of the collection system piping, manholes, and pump stations installed and currently owned/operated by Seller, as described in Paragraph 7, above. York Water's proposed additional service territory consists of Seller's current service area plus area north along Prayer Mission Road and west along East Prospect Road to connect a nearby customer who has requested service.

9. Future Capacity:

York Water owns and operates the Lower Windsor Wastewater Treatment Plant, which is located near the Margareta Mobile Home Park and at which treatment capacity is available and sufficient to accept and treat wastewater from the Margareta Mobile Home Park in compliance with permit authorizations. Based upon the Company's current and planned permitted source and treatment capacity, the Company has sufficient professional resources and treatment capacity to

¹⁰ This is an estimated (high) cost for SCADA installation and connectivity as well as system location confirmation and GIS mapping.

meet the demands of Margarettta Mobile Home Park and its projected requirements through at least 2030.

10. Rates for Service:

York Water’s proposed rates for wastewater service for the customers located in the Requested Territory are set forth in **Exhibit I** (Wastewater Tariff Page) and in the Purchase Agreement (**Exhibit C – CONFIDENTIAL**). The proposed rates are consistent with the rates outlined in the Company’s notice provided to those customers. Currently, the Seller does not charge a separate line item for sewer service to residents of Margarettta Mobile Home Park. Whatever investment, operation and maintenance costs are incurred by the system, Seller utilizes rental income to pay these expenses. At this time, the system is merely being operationally maintained. Upon connection of the Wastewater Collection System to the Lower Windsor Wastewater Treatment Plant, York Water will charge its Commission-approved metered rate for wastewater for the East Prospect and Lower Windsor Area, as approved by the Commission. *See* Supp. No. 23 to Wastewater – Pa. P.U.C. No. 1, Eleventh Revised Page No. 4. These customers will be provided service from York Water’s Lower Windsor Wastewater Treatment Plant, so the Company maintains that the Margarettta Mobile Home Park customers should pay the same rates as the other customers who receive service from the Lower Windsor Wastewater Treatment Plant.

The metered rate is based on water consumption as follows:

	<u>Per Month</u>	<u>Rate</u>
East Prospect and Lower Windsor Area	1 st 4,000 Gals.	\$86.90
	>4,000 Gals.	\$7.565 per 1,000 Gals.

The residents of Margarettta Mobile Home Park are already individually metered residential water customers of York Water as described in Rule 4.12 of York Water’s Commission-approved water

tariff. *See* Tariff Rule 4.12, Supp. No. 120 to Water-Pa. P.U.C. No. 14, Original Page No. 25(a).¹¹

The residents of Margareta Mobile Home Park will not incur reservation or connection fees related to York Water’s designing, permitting, and constructing additional facilities to convey wastewater from the Margareta Mobile Home Park to the Lower Windsor Wastewater Treatment Plant. Construction of the main extension and connection will commence upon receipt of Commission approval of this Application and York Water’s receipt of the required permits related to the extension and connection.

11. Profit and Loss Statement:

Attached as **Exhibit G** is the York Water Income Statement for the 12 months ended December 31, 2023. The projected system revenue and expenses are set forth and provided in **Exhibit J**.

12. Compliance with DEP Requirements:

York Water is a Class A Utility. It is in good standing with DEP and in general compliance with DEP with regard to the provision of wastewater service.

The Wastewater Collection System assets include all Authorizations and Permits of or held by Seller necessary to operate and maintain the collection system including all environmental Authorizations and Permits, if any are required.

All required county and local government consistency letters and actions are attached hereto as:

Exhibit K York County Planning Consistency Letter (Advisory)

Exhibit K-1 Lower Windsor Township Consistency Letter

¹¹ As of the date the Purchase Agreement was executed, the water service provided to the “Maintenance Shop & Barns” and the laboratory sink at the sewage treatment plant are not connected to the Wastewater Collection System and may remain not connected. However, the occupied farmhouse at 1446 Prayer Mission Road will still be occupied by the prior owner and will become a residential (water and wastewater) customer after Closing.

York Water's Eric Buracker is the operator of the Lower Windsor Wastewater Treatment Plant, and his Wastewater Operator's License is attached hereto as **Exhibit L** (Operator's License).

There are no outstanding Notices of Violation, Orders, or Consent Orders issued by DEP to Seller. However, as noted previously, the Seller's wastewater collection system's engineering configuration does not conform to best engineering practices, complicates proper and regular maintenance, and presents certain risks to workers and residents.

13. No Competitive Condition:

No corporation or entity, except Seller, are now furnishing or has corporate or franchise rights to furnish wastewater service in the Requested Territory. No other municipal entity is providing wastewater services within one mile of the Requested Territory. The Requested Territory consists of Seller's current service area plus area north along Prayer Mission Road and west along East Prospect Road to connect a nearby customer who has requested service.

Seller is now furnishing service similar to that to be rendered by York Water in Seller's service area, and no competitive condition will be created by this acquisition.

14. Facilities for Furnishing Service:

York Water will extend its wastewater main to connect the Wastewater Collection System to the Lower Windsor Wastewater Treatment Plant. The Lower Windsor Wastewater Treatment Plant is a 0.175MGD engineering design capacity, with current flows at 0.057MGD. The territory currently served by this plant is shown in **Exhibit B** hereto. York Water will operate and manage the Wastewater Collection System from its Main Office in York, Pennsylvania. The system is approximately 15 miles (on roadways) from the Main Office, and is currently operated by full-time York Water employees 24/7. York Water has an existing operational presence and

wastewater professionals in the area, as York Water currently provides wastewater service to customers in portions of York, Adams, Franklin, and Lancaster Counties. The acquisition will easily incorporate into existing York Water wastewater operations. The following York Water wastewater facilities are in the vicinity:

<u>York Water WW Facilities</u>	<u>Location</u>	<u>Distance from Margareta MHP</u>
Lower Windsor WWTP	to YWC Offices	10.3 miles (as the crow flies)
Lower Windsor WWTP	to Margareta MHP	0.4 miles
YWC Wastewater Offices	to Margareta MHP	7.9 miles

York Water is not anticipating any physical, operational, or managerial changes of York Water's operations as a result of the acquisition. Future improvements and changes will be evaluated and planned for wastewater collection and treatment systems as needed.

15. Approval's Necessity and Propriety:

Approval of this Application is necessary and proper for the service, accommodation, convenience, and safety of the public for the following reasons:

(a) York Water currently provides water service to the residents of the Margareta Mobile Home Park and, therefore, is familiar to these customers and already maintains utility infrastructure to and in this community;

(b) York Water and Margareta MHP, LLC have an executed contract for the purchase of the Margareta Mobile Home Park Wastewater Collection System and the transfer of specified assets to York Water;

(c) York Water's existing facilities are nearby and have the treatment capacity available and sufficient to accept and treat wastewater from the Margareta Mobile Home Park;

(d) Seller is a new owner of this Mobile Home Park community and purchased it with the intention and expectation to exit the wastewater utility business. Seller is not willing to provide wastewater utility service to its customers due to the business expertise required, regulatory requirements, and the anticipated challenges involved in maintaining a viable, responsive, and reliable wastewater system for a small number of customers;

(e) The Wastewater Collection System's engineering configuration does not conform to best engineering practices, complicates proper and regular maintenance, and presents certain risks to workers and residents;

(f) York Water will bring significant resources to the Seller's Wastewater Collection System in order to keep it in compliance with both existing and proposed regulatory requirements and will insure reliable utility and responsive customer service; and

(g) The Commission encourages utilities, such as York Water, to acquire small wastewater systems, such as the Wastewater System Assets owned by Margareta MHP, LLC. *See* 52 Pa. Code § 69.721.

16. Notification to Customers:

Prior to the filing of this Application, York Water notified the residents of Margareta Mobile Home Park regarding the filing of this Application, the Company's rates, and York Water's intent to charge a monthly rate for wastewater service. A copy of the notice sent to these customers describing the filing and the anticipated effect on rates is attached hereto as **Exhibit M** (Notice to Customers).

17. Request for Commission Approval by the October 10, 2024 Public Meeting:

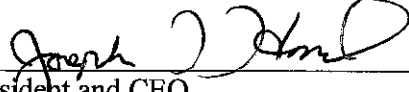
To facilitate the timely closing of this transaction, York Water respectfully requests that the Commission issue its final ruling by its public meeting on October 10, 2024.

WHEREFORE, The York Water Company respectfully requests that the Pennsylvania Public Utility Commission issue a Certificate of Public Convenience under the provisions of Sections 1102(a)(1) and 1102(a)(3) of the Public Utility Code evidencing the approval of the Commission for The York Water Company to: (1) acquire certain wastewater facilities of Margareta MHP, LLC; and (2) begin to offer, render, furnish and supply wastewater service to the public in portions of Lower Windsor Township, York County, Pennsylvania, and grant any and all other necessary Commission approvals to facilitate that transaction. Furthermore, to facilitate the timely closing of this transaction, The York Water Company respectfully requests that the Commission issue its final ruling by its public meeting on October 10, 2024.

ATTEST:


Assistant Secretary

THE YORK WATER COMPANY

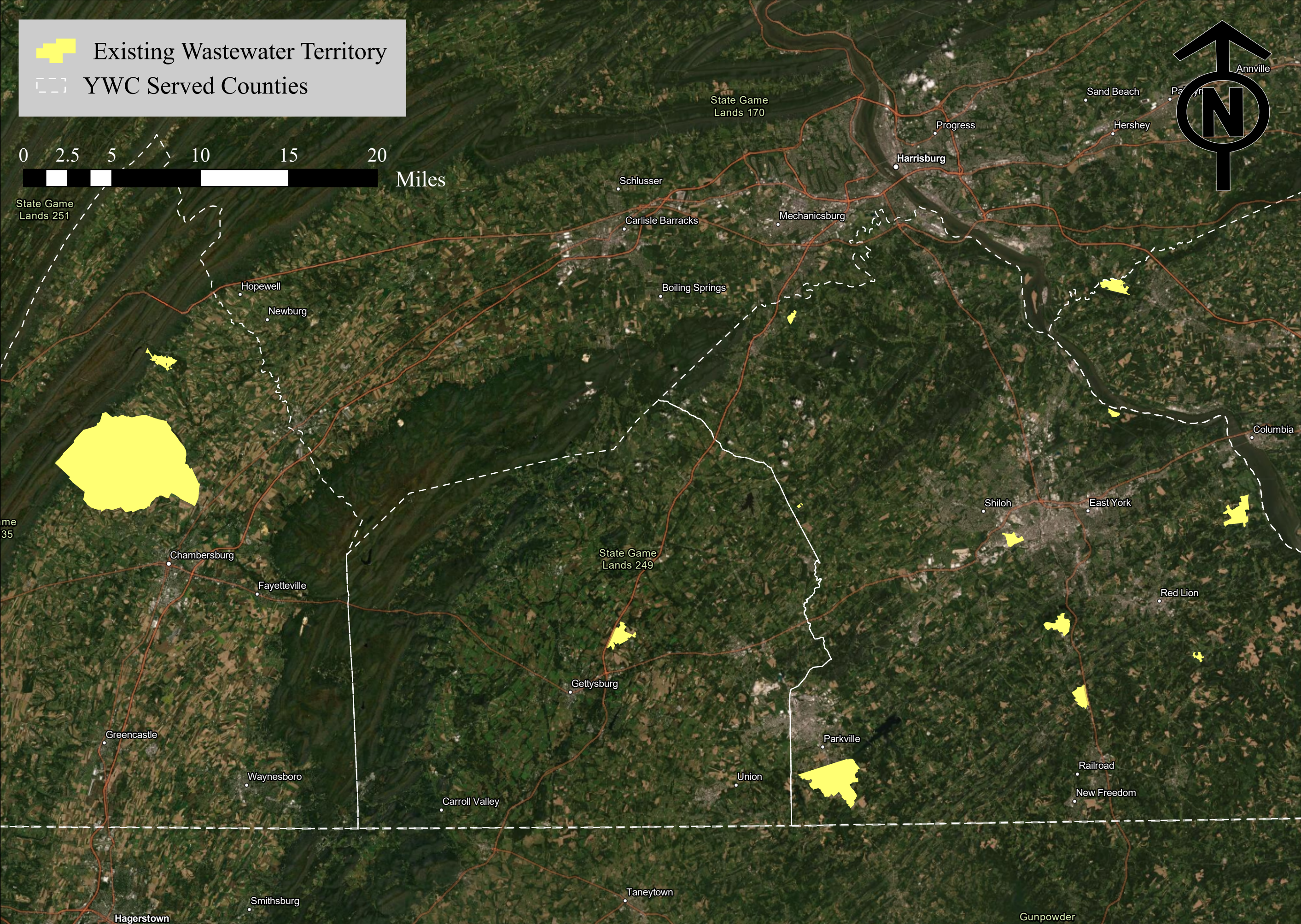
By 
President and CEO

By 
Counsel for THE YORK WATER COMPANY

Exhibit A

 Existing Wastewater Territory
 YWC Served Counties

0 2.5 5 10 15 20
 Miles



Title: Exhibit A: TYWC's Wastewater Territory

Scale: 1 IN. = 5 Miles

Date: April 30th, 2024

Drawn By: Jason Heitmann

Checked By: Andrew Prosser

The York Water Company

130 E. Market St.
 York, Pa 17401
 (717) 845-3601

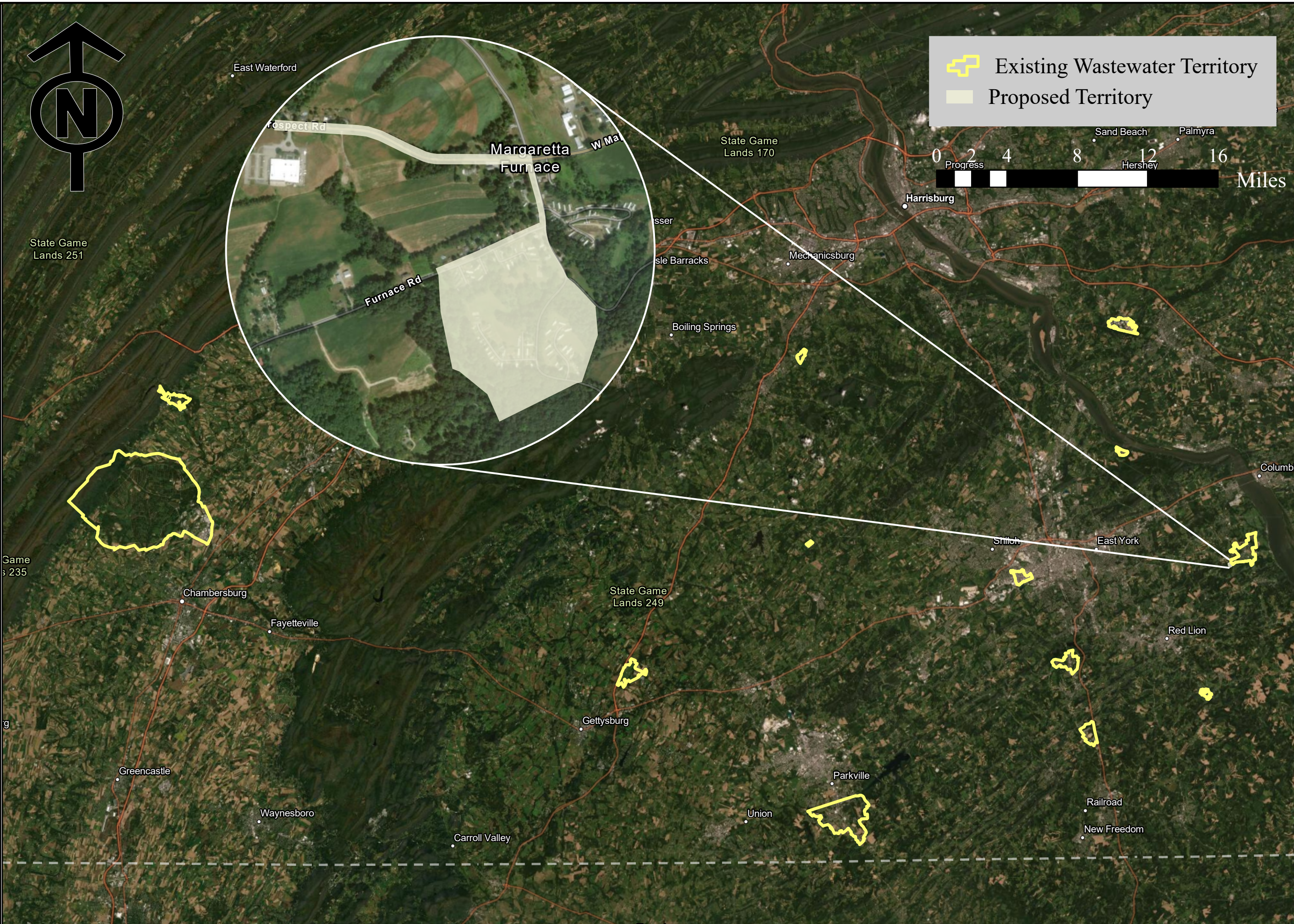
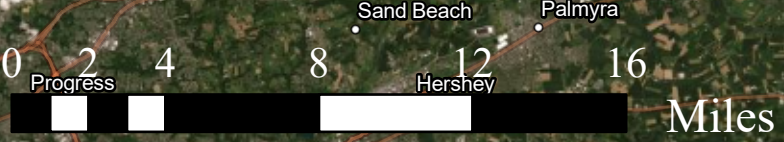


data.pa.gov, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, USFWS, Source: Esri, Maxar, Earthstar Geographics,

Exhibit B



 Existing Wastewater Territory
 Proposed Territory





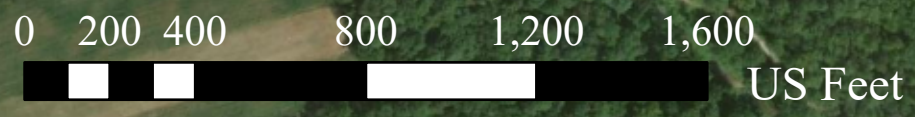
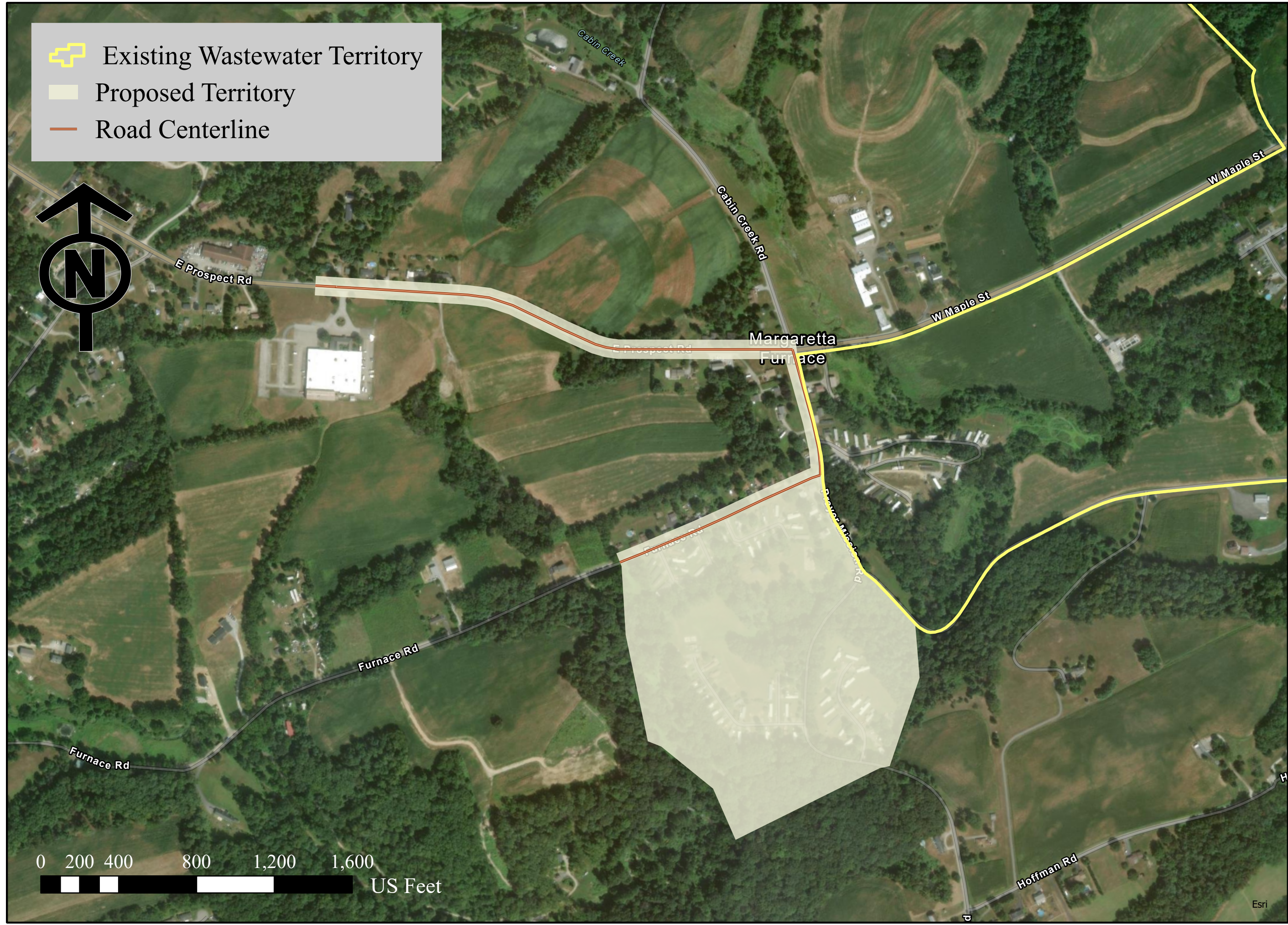
Title: Exhibit B-1: Proposed Expansion & Existing Wastewater Territory	Drawn By: Jason Heitmann
Scale: 1 IN. = 5 Miles	Checked By: JT Hand
Date: May 14th, 2024	

The York Water Company
 130 E. Market St.
 York, Pa 17401
 (717) 845-3601



data.pa.gov, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, USFWS, Source: Esri, Maxar, Earthstar Geographics,

 Existing Wastewater Territory
 Proposed Territory
 Road Centerline

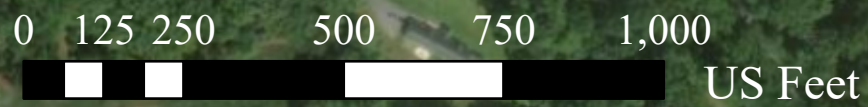
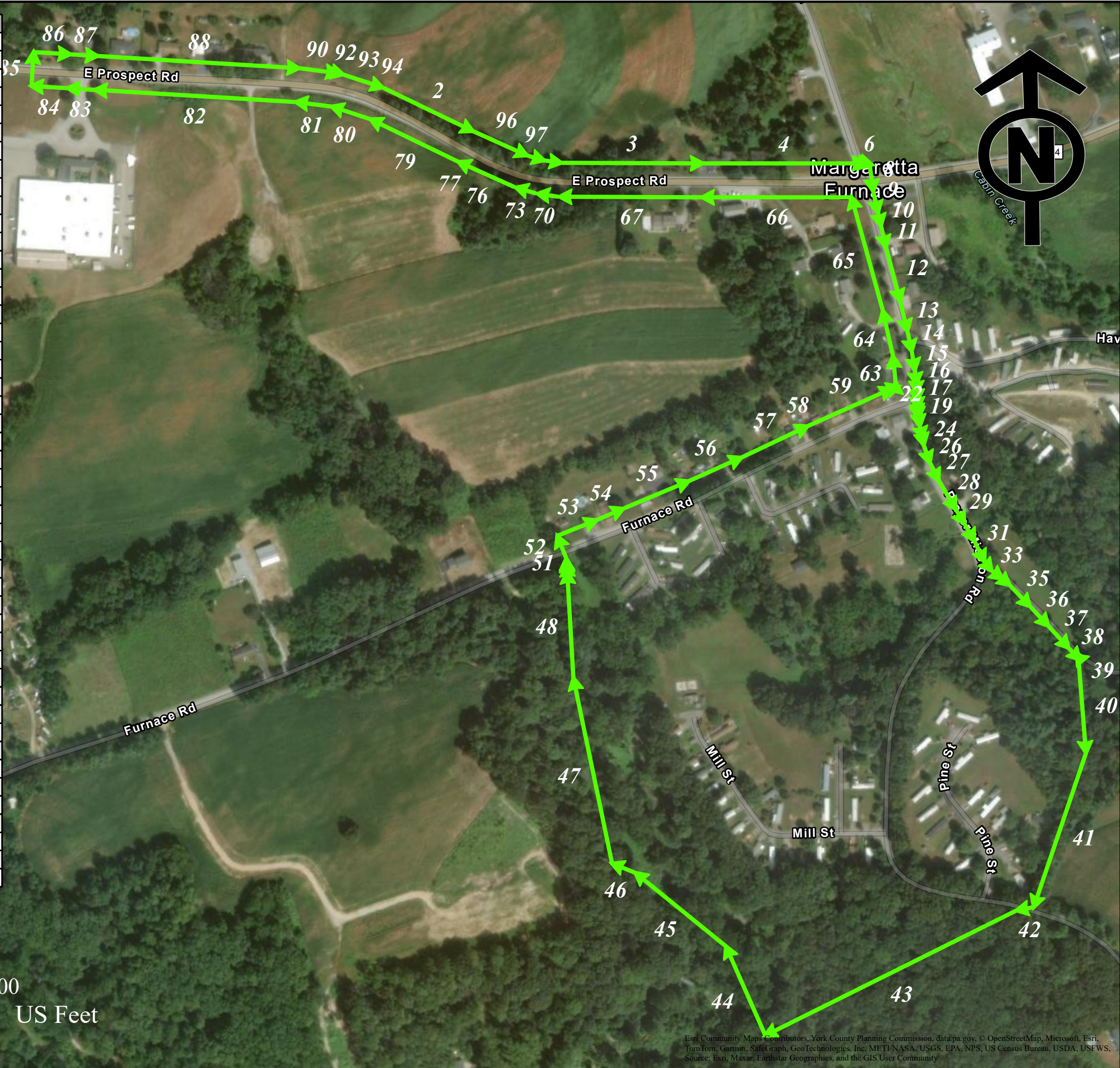


Title: Exhibit B-2: Proposed Territory Expansion & E. Prospect System		
Scale: 1 IN = 450 FT	Drawn By: Jason Heitmann	Checked By: JT Hand
Date: May 14th, 2024		

The York Water Company
 130 E. Market St.
 York, Pa 17401
 (717) 845-3601



Line	Direction	Distance	Line	Direction	Distance
2	S64°08'30.3"E	289.1	52	N21°48'20.9"W	71.5
3	S89°46'21.4"E	416.2	53	N68°11'38.5"E	123.4
4	N90°00'00.0"E	477.9	54	N66°48'07.3"E	86.6
5	S88°12'15.5"E	3.1	55	N67°09'58.3"E	209
6	S82°47'57.2"E	6.3	56	N65°54'28.5"E	170
7	S75°35'54.7"E	6.3	57	N64°38'14.8"E	215.9
8	S7°17'16.6"E	79.9	58	N65°20'07.9"E	1.1
9	S12°43'21.4"E	64.7	59	N65°57'21.6"E	271.1
10	S12°43'20.3"E	39.9	60	N68°45'46.2"E	4.9
11	S12°51'37.6"E	64.6	61	N71°33'54.2"E	8.1
12	S14°53'15.9"E	164.5	62	N0°00'00.0"E	7.1
13	S13°34'47.1"E	91	63	N5°37'53.9"W	85.1
14	S11°58'22.2"E	60.8	64	N12°31'43.7"W	136.2
15	S9°29'27.1"E	56	65	N15°25'15.9"W	347.7
16	S6°23'16.8"E	42	66	N89°59'59.8"W	440.1
17	S2°17'10.2"E	25.2	67	N89°46'21.5"W	419.9
18	S2°17'12.2"E	24.8	68	N88°05'22.5"W	2.9
19	S2°17'13.9"E	23	69	N84°08'03.0"W	4
20	S6°52'51.4"E	10.3	70	N81°52'13.9"W	58.9
21	S4°39'02.2"E	9.6	71	N80°32'06.1"W	2.3
22	N71°31'23.6"E	0.6	72	N76°24'21.8"W	4.9
23	S7°59'08.7"E	32	73	N73°36'37.5"W	59
24	S12°04'12.8"E	36.6	74	N72°47'45.5"W	1.4
25	S12°04'13.7"E	19.9	75	N68°54'42.0"W	5.4
26	S18°51'07.0"E	54.8	76	N65°49'14.7"W	178.9
27	S25°48'28.7"E	58.8	77	N65°18'47.8"W	0.9
28	S31°04'33.5"E	98.7	78	N64°27'33.4"W	0.6
29	S31°04'29.9"E	49	79	N64°08'30.5"W	286.4
30	S29°59'38.5"E	58.5	80	N71°49'02.7"W	120.6
31	S25°47'50.7"E	68.2	81	N82°46'14.5"W	106.1
32	S38°05'35.0"E	34.1	82	N86°31'12.1"W	593.2
33	S52°14'50.7"E	39.3	83	N86°31'10.9"W	80.7
34	S50°27'42.9"E	28.7	84	N86°33'03.9"W	107.4
35	S43°48'04.9"E	86.8	85	N3°26'55.9"E	100
36	S43°04'59.3"E	78.7	86	S86°33'03.9"E	107.4
37	S42°40'24.2"E	88.2	87	S86°31'11.3"E	80.9
38	S43°01'38.6"E	48.3	88	S86°31'12.1"E	594.8
39	S22°37'03.2"W	7.5	89	S84°36'49.1"E	3.2
40	S4°36'38.7"E	268.6	90	S82°46'14.4"E	112.5
41	S18°42'43.2"W	480	91	S80°59'06.1"E	3.1
42	S78°56'14.0"W	51.2	92	S75°33'13.0"E	6.4
43	S63°32'43.0"W	827.8	93	S71°49'03.4"E	128.8
44	N23°47'52.8"W	287.6	94	S68°18'27.1"E	6.1
45	N50°56'28.7"W	343	95	S64°27'33.4"E	0.6
46	N68°29'15.5"W	74.4	96	S65°49'14.7"E	174.8
47	N11°46'25.7"W	558.4	97	S73°36'37.8"E	52
48	N3°22'29.1"W	314	98	S81°52'13.3"E	51.8
49	N4°22'00.6"W	10.8			
50	N3°24'26.6"W	11.7			
51	N3°15'03.1"W	17.5			



Title: Exhibit B-3a: Proposed Expansion w/ Metes & Bounds

Scale: 1 IN = 300 FT

Date: May 14th, 2024

Drawn By: Jason Heitmann

Checked By: JT Hand

The York Water Company

130 E. Market St.
York, Pa 17401

(717) 845-3601



Esri Community Maps Contributors, York County Planning Commission, data.pa.gov, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Exhibit C

CONFIDENTIAL

Exhibit D

Parcel Identification No. 35000JL0082M

Property Location: Lower Windsor Township, York County

PERMANENT UTILITY AND ACCESS EASEMENT AGREEMENT

This **PERMANENT UTILITY AND ACCESS EASEMENT AGREEMENT** (this “Agreement”) is made this ^{7TH} day of ~~FEBRUARY~~ 2024, by and between, **MARGARETTA MHP, LLC**, a Pennsylvania limited liability company with a current mailing address of c/o Foote Property Management, 2678 Mount Rose Avenue, York, Pennsylvania 17402 (“Grantor”) and **THE YORK WATER COMPANY**, a corporation organized under the laws of the Commonwealth of Pennsylvania, having its principal place of business at 130 East Market Street, York, Pennsylvania (“Grantee”) (Grantor and Grantee may be collectively referred to hereinafter as the “Parties.”)

RECITALS

WHEREAS, Grantor intends to maintain residential facilities on one tract of land in Lower Windsor Township, York County, PA owned by the Grantor, said tract of land identified as York County Tax Parcel No. 35000JL0082M (the “Property”); and

WHEREAS, Grantee is a public utility that supplies wastewater collection and treatment utility service to customers throughout York, Adams, Lancaster and Franklin Counties in Pennsylvania; and

WHEREAS, in order to better serve the Grantor, Grantee has proposed to operate and maintain existing wastewater mains and facilities, and construct, as needed, new wastewater collection mains and related facilities on the Property in order to provide a continuous wastewater service to the residents of the Margarett Mobile Home Park; and

WHEREAS, Grantor is willing to grant to Grantee the Easements herein described pursuant to the terms set forth in this Agreement.

NOW, THEREFORE, the Parties, intending to be legally bound hereby, and in consideration of the payment of ONE DOLLAR (\$1.00), receipt of which is hereby acknowledged, as well as the mutual covenants contained herein, do hereby agree as follows:

1. Incorporation of Recitals.

The above Recitals are hereby incorporated into this Agreement as if set forth herein.

2. Permanent Utility Easement.

Grantor grants and conveys to Grantee, its successors and assigns, a Permanent Utility Easement in and across the entire Property, all as more fully shown on the attached plan, incorporated herein and marked as **Exhibit A**. The Permanent Utility Easement shall be for the purpose of maintaining, constructing and operating wastewater mains and related infrastructure, as determined by the Grantee in its discretion, together with all fittings and appurtenances as may be necessary or convenient from time to time for the proper and efficient operation and maintenance of the wastewater collection and conveyance system, and thereafter, to use, operate, inspect, repair, maintain, replace, relocate, enlarge, alter, upgrade, remove or otherwise maintain the wastewater mains and related infrastructure and appurtenances, together with all rights of ingress, egress and regress on, over and across said Permanent Utility Easement as may be necessary and convenient for the full and complete use by the Grantee of the rights granted hereby, including the right to clear trees, brush and other obstructions from the surface of the Easement Area that may impact Grantee's ability to execute any activity incidental to the rights granted in this Agreement. Grantee's obligation to its wastewater customers and Grantee's ownership of wastewater collection facilities installed extend to the service line valve as described in Grantee's Tariff. This grant of the Permanent Utility Easement on the Property shall include the right to maintain and relocate the facilities installed within the limits of the Easement, from time to time, and at any time in Grantee's discretion. Hereafter, Grantor shall remain obligated to operate, maintain, repair, and replace, as needed the customer side of the wastewater service, which begins

at the lateral connection to the residential unit(s) and includes all customer side facilities that exist at Closing and any such facilities that are installed on the customer side in the future.

3. Consideration.

The consideration set forth in this Agreement is full and complete consideration for the Easements herein granted, and for any and all damage to the Property, to any interest of Grantor therein, or any other property of Grantor.

4. Title to Property.

Grantor hereby warrants and represents to Grantee that Grantor holds good and marketable title to the Property, insurable by a reputable title company at regular rates, free and clear of liens and encumbrances except those disclosed to Grantee in writing and accepted by Grantee.

5. Termination Rights

In addition to providing access to wastewater collection facilities, the Easements created by this Agreement shall allow the Grantee to invest in and construct/repair/replace/maintain a wastewater collection system, or parts thereof, to serve the Grantor's existing community of approximately 62 existing occupied mobile home lots, which includes one occupied farmhouse. The payments provided under this Paragraph 5 are intended to compensate Grantee for investment in facilities in the event Grantor terminates operation of the Margareta Mobile Home Park. Ownership of the collection system assets will not be transferred by Grantee to Grantor upon payment, and the provisions of this Paragraph 5 do not represent a sale of such assets by Grantee. Grantee may continue to retain and use any and all easements granted under this Agreement to the extent necessary to continue to provide public wastewater utility service to any customers of Grantee. Reference to abandoning facilities in Paragraph 5A and abandonment of facilities in Paragraph 5D of this Agreement do not contemplate a transaction to abandon service nor supersede or limit the Pennsylvania Public Utility Commission's authority under 66 Pa.C.S. §1102(a)(2). Therefore, Grantor and Grantee agree;

- A. For a period of twenty-five (25) years following the grant of these Easements, if Grantor desires to terminate this Agreement, in whole or in part, Grantor agrees to pay Grantee an amount equal to the then current depreciated original cost of Grantee's wastewater main, wastewater service line relocation program and facilities to be abandoned as a result of the termination of this Agreement, which original cost shall not exceed one hundred thousand dollars (\$100,000.00) dollars; and
- B. For a period of twenty-five (25) years following the grant of these Easements, if Grantor desires to terminate this Agreement, in whole or in part, Grantor agrees to additionally pay fifty thousand dollars (\$50,000.00) to Grantee; and
- C. For a period of ten (10) years following the grant of these Easements, if Grantor desires to terminate this Agreement, in whole or in part, Grantor agrees to pay Grantee an additional amount equal to York Water's system-wide average residential wastewater revenue per customer during the calendar year preceding termination of this Agreement, multiplied by one-hundred and fifty (150), and multiplied by the years remaining in the initial ten (10) year period; and
- D. Provisions in Paragraphs 4.B. and 4.C. above shall not apply if, within eighteen (18) months following abandonment, a follow on use is established which results in a source of revenue for Grantee that is equal to or higher than the previous average monthly revenue generated for Grantee by wastewater services to this Property.

6. Grantee's Costs.

Grantee shall be solely responsible for all costs and expenses associated with the construction, installation, maintenance, repair, inspection and operation of its facilities on the Property in the Permanent Utility Easement Area.

7. Indemnification

Grantee agrees to release, hold harmless and indemnify Grantor from and against any and all claims, whether at law or equity, for damages of any kind whatsoever arising directly or indirectly from the construction, installation, maintenance, repair, inspection and operation of the wastewater facilities contemplated hereunder including, but not limited to, injury to person or property or loss of life, except to the extent caused by the negligence or willful misconduct of Grantor, or its officers, agents, employees, invitees, agents or contractors.

8. No Interference or Obstruction.

Said Grantor, for itself, its successors and assigns, hereby covenants and agrees to and with the Grantee, its successors and assigns, that neither it nor any of its successors or assigns, shall or will in any way whatsoever, interfere with the exercise of the rights hereby given the Grantee, its successors and assigns, or shall or will erect or maintain or cause or allow to be erected or maintained, any obstruction(s) of any nature whatsoever, including but not by way of limitation, any structure, wall, fence, pole, tree, shrubbery, garden, structure, septic tank, drain field, cesspool, dry well, nor any other impediment of any nature whatsoever not hereinbefore enumerated in, on, under, along or upon said strips or tracts of land whereby access to the facilities, pipe or pipes, wires, valves, fittings, appliances, accessories and other appurtenant equipment hereinbefore authorized to be laid shall or may be hindered, impeded or damaged in any manner whatsoever. In the event of any such obstruction, hindrance or impediment, with the exception of pre-existing structures located within the easement as of the date of this Agreement, the same may be removed without payment of damages by the Grantee, its successors or assigns, whenever such action shall reasonably be deemed by it to be necessary or advisable, and further covenants and agrees that this covenant and agreement and all of the terms, provisions and agreements of Grantor herein made shall run with the land, and further the Grantor does hereby warrant specially the easement hereby granted and Grantor's title to the premises in, on, under, along and upon which the said right of way is granted against adverse mortgages, judgments and other liens.

9. Grantee's Covenant to Backfill.

Grantee covenants and agrees for itself, its successors and assigns, that it, or its successors or assigns, respectively, shall and will, from time to time, backfill any excavations made by it or them, respectively, in said easement or Property. Except to the extent that there may be any violations of the provisions of the previous Paragraph 8, Grantee shall replace and restore the surface of the excavation area to the same grade and condition as existed before such excavation(s) were made.

10. Personal Property.

It is the intention of the Parties hereto, for themselves and their successors or assigns, that none of the facilities being now or at any time hereafter installed on the Property by Grantee shall be deemed to be or shall become part of the real estate or subject to any mortgage, lien or encumbrance thereon. Rather, the wastewater collection and related facilities located and to be located on the Property shall, at all times, remain the personal property of the Grantee, its successors or assigns.

11. Binding Agreement.

This Agreement shall be binding upon the Parties, their successors and assigns, and the Easements herein granted shall run with the land.

12. No Amendment or Modification.

The Easements granted herein shall not be altered, modified, limited, amended or terminated, except by means of a written instrument(s), executed by both Grantor and Grantee. This Agreement and any subsequent amendment or modification may be recorded in the Office of Recorder of Deeds in and for York County, Pennsylvania.

[Signatures Follow]

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly executed by their authorized representatives and officers as of the date first above written.

GRANTOR:

ATTEST:

MARGARETTA MHP, LLC

Diana A. Silva

By: 

Name: Steve Foote

COMMONWEALTH / STATE OF PENNSYLVANIA

SS. COUNTY OF ~~YORK~~ Montgomery

On this 1st day of February, 2024, before me, a Notary Public, the undersigned, personally appeared **Steve Foote**, known to me (or satisfactorily proven) to be the owner of the parcels described within and acknowledged that (s)he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Nancy A. Valleras

Notary Public

Commonwealth of Pennsylvania - Notary Seal
NANCY A. VALLERAS, Notary Public
Montgomery County
My Commission Expires September 2, 2024
Commission Number 1170526

GRANTEE:

ATTEST:

THE YORK WATER COMPANY

Secretary

Joseph T. Hand
Joseph T. Hand, President and CEO

COMMONWEALTH / STATE OF PENNSYLVANIA

(SS.

COUNTY OF YORK

On this 7th day of FEBRUARY, 2024, before me, a Notary Public, the undersigned officer, personally appeared **Joseph T. Hand**, known to me (or satisfactorily proven) to be the President and CEO of The York Water Company and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Molly Elizabeth Norton
Notary Public

Commonwealth of Pennsylvania - Notary Seal
Molly Elizabeth Norton, Notary Public
York County
My commission expires March 3, 2025
Commission number 1307000
Member, Pennsylvania Association of Notaries

EXHIBIT A

York Water Easement shall encompass: All existing wastewater lines and service lines; and an additional ten (10) feet on either side of existing wastewater lines and related infrastructure lines; and reasonable access to said wastewater lines and related infrastructure, excluding service laterals; and all existing paved roads and driveways; and an additional ten (10) feet on either side of all existing paved roads and driveways for installation and access to future wastewater facilities.

[Insert facility map]

Exhibit E

**THE YORK WATER COMPANY
UTILITY PLANT**

	As of <u>December 31, 2023</u>
Organization	\$ 8,574
Franchises and consents	4,918
Water rights	39,972
Reservoir land	883,813
Power and pumping land	1,085,621
Purification land	1,751,022
Transmission & distribution land rights-of-way	143,219
Distribution reservoir and standpipe land	631,665
Office land	115,023
Stores, shop and garage land	135,845
Collecting and impounding reservoirs	6,732,530
Lake, river and other intakes	3,674,995
Wells and springs	118,067
Supply mains	8,841,841
Other water source structures	326,277
Power and pumping structures	17,909,557
Purification buildings	5,142,826
Office buildings	1,675,424
Stores, shop and garage buildings	3,158,699
Miscellaneous structures and improvements	533,773
Power generation equipment	3,104,161
Oil engine pumping equipment	1,315,001
Electric pumping equipment	6,268,618
Scada system	698,223
Purification system	20,987,876
Distribution reservoirs and standpipes	29,310,535
Mains and accessories	263,976,054
Services	59,995,397
Meters	21,928,365
Fire hydrants	11,534,782
Backflow preventors	680,639
Office furniture and equipment	13,152,301
Transportation equipment	2,614,444
Stores equipment	235,551
Shop equipment	71,313
General equipment	995,169
Tractor	34,370
Laboratory equipment	185,659
Construction equipment	220,225
Communication equipment	3,343,805
Miscellaneous equipment	577,004
Wastewater organization	3,273
Wastewater collection land	203,176
Wastewater pumping land	325,915
Wastewater treatment land	352,574
Wastewater treatment structures	11,782,287
Wastewater power generation equipment	755,208
Wastewater collection sewers	23,016,503
Wastewater services	4,247,975
Wastewater pumping equipment	920,710
Wastewater treatment and disposal equipment	7,254,677
Wastewater monitoring equipment	211,317
Wastewater detention pond	2,682
Wastewater outfall lines	103,082
Wastewater office computer	105,403
Wastewater transportation equipment	310,639
Wastewater shop equipment	20,304
Wastewater laboratory equipment	6,685
Wastewater communication equipment	468,877
Wastewater miscellaneous equipment	48,203
Total Utility Plant in Service	<u>\$ 544,282,643</u>
Construction work in progress	75,918,375
Utility plant acquisition adjustment	<u>(9,383,593)</u>

TOTAL UTILITY PLANT

\$ 610,817,425

Exhibit F

**THE YORK WATER COMPANY
BALANCE SHEET**

As of
December 31, 2023

ASSETS

UTILITY PLANT:

Utility Plant, at original cost	\$610,817,425
Less-Reserve for depreciation	117,112,927
	<hr/> 493,704,498

OTHER PHYSICAL PROPERTY:

Less-Reserve for depreciation	1,568,653
-------------------------------	-----------

CURRENT ASSETS:

Cash and cash equivalents	(1,545,947)
Accounts receivables, less reserves	7,836,891
Unbilled revenue	3,484,015
Materials and supplies, at cost	3,108,665
Prepaid expenses	820,740
	<hr/> 13,704,364

OTHER LONG-TERM ASSETS:

Notes receivable	255,481
Deferred regulatory assets	27,752,972
Other	28,183,395
	<hr/> 56,191,848

\$565,169,363

**THE YORK WATER COMPANY
BALANCE SHEET**

As of
December 31, 2023

CAPITALIZATION AND LIABILITIES

CAPITALIZATION:

Common stock, no par value	\$136,173,584
Earnings retained in the business	85,003,947
	221,177,531

Long-term debt	152,370,000
Committed line of credit	30,273,001
Less-Unamortized discount and debt expense	2,635,770
	401,184,762

CURRENT LIABILITIES:

Current portion of long-term debt	0
Accounts payable	9,364,960
Dividends payable	2,753,738
Accrued taxes	(310,005)
Accrued interest	1,740,621
Deferred regulatory liabilities	644,344
Other accrued expenses	2,109,127
	16,302,785

DEFERRED CREDITS:

Customers' advances for construction	18,853,331
Contributions in aid of construction	47,321,416
Deferred employee benefits	3,847,269
Deferred regulatory liabilities	21,793,032
Deferred income taxes	55,235,304
Other deferred credits	631,464
	147,681,816

\$565,169,363

Exhibit G

THE YORK WATER COMPANY
STATEMENT OF INCOME

Twelve Months
Ended
December 31, 2023

OPERATING REVENUES:

Residential	\$45,349,856
Commercial and industrial	20,329,019
Other	5,352,324
	<u>71,031,199</u>

OPERATING EXPENSES:

Operation and maintenance	17,361,662
Administrative and general	11,974,713
	<u>29,336,375</u>

Depreciation	11,746,288
Taxes other than income taxes	1,499,567
Federal and state income taxes	1,276,878
	<u>43,859,108</u>

Operating income	27,172,091
------------------	------------

INTEREST EXPENSE AND OTHER INCOME:

Interest on debt	7,047,188
Allowance for funds used during construction	(4,153,090)
Other (income) expenses, net	520,989
	<u>3,415,087</u>

NET INCOME	<u><u>\$23,757,004</u></u>
------------	----------------------------

Exhibit H

☒ = COLLECTION TANK & PUMP STATION
 #1: 1,000 G & 2 HP GRINDER PUMP
 #2: 500 G & 3/4 HP PUMP
 #3: 500 G & 3/4 HP PUMP
 ELEVATIONS ESTIMATED (GOOGLE EARTH)
 → = PRESSURE LINE, 4" PVC
 --- = UNSURE OF ROUTING
 * = CONNECTION POINT
 FIRST, SECOND & THIRD STS: MAINS 4" ARS
 ALL OTHER LINES PVC, MOSTLY 4"
 • SOME 6" (LOWER HALF 00) (MILL ST. ?)



MARGARETA MOBILE HOME PARK (MMHP)
 1446 PRAYER MISSION RD
 YORK, PA 17406
 BOB SEAKER 717-880-7169

Exhibit I

PART I: SCHEDULE OF RATES AND CHARGES

Asbury Pointe Area, Felton Borough Area, and Letterkenny Township Area (C)

A flat rate of \$86.90 per month per equivalent dwelling unit. (I)

East Prospect and Lower Windsor Area, Jacobus Borough Area, and Straban Township Area (C)

A metered rate (based on water consumption) as follows:

	<u>Per Month</u>	<u>Rate</u>	
East Prospect and Lower Windsor Area	1 st 4,000 Gals.	\$86.90	(I)
Over	4,000 Gals.	\$7.565 per 1,000 Gals.	(I)

West York Borough Area Rate per Month

A flat rate per equivalent dwelling unit.

Residential	\$60.00	(I)
Commercial/Industrial	\$69.55	(I)

Monaghan Township Area Rate per Month (C)

A flat rate per customer.

Residential	\$44.20
-------------	---------

(C) Indicates Change
(I) Indicates Increase

Exhibit J

EXHIBIT J

Estimated Annual Revenue and Expense Figures

Projected annual revenue is based upon York Water's Commission-approved wastewater rates for East Prospect and Lower Windsor Area, Jacobus Borough Area, and Straban Township Area, as set forth in Supp. No. 23 to Wastewater – Pa. P.U.C. No. 1, Eleventh Revised Page No. 4.

Monthly Residential Customer Charge	\$ 86.90
	<u> x 61</u>
Monthly Residential Revenue	\$ 5,301
Monthly Total Revenue	\$ 5,301
	<u> x 12</u>
Annual Total Revenue	<u><u>\$ 63,612</u></u>

Estimated expenses are calculated based on the Company's latest cost of service study performed with the latest rate filing effective March 1, 2023. The Company expects the expenses for the new customers to mirror those of the current system.

O & M Expenses (34.1% of revenue)	\$21,692
Depreciation (18.6% of revenue)	11,832
General Taxes (2.1% of revenue)	1,336
Income Taxes (5.4% of revenue)	3,435
Total Operating Expenses	\$38,295
Operating Income	\$25,317

Exhibit K

PLANNING
COMMISSION

COUNTY LAND USE LETTER

Date: June 3, 2024

To: The York Water Company
130 East Market Street
York, PA 17401-1219

From: York County Planning Commission

Re: Margaretta MHP Wastewater Collection System Acquisition and Sewer Extension
(Revised Notice)
The York Water Company
Lower Windsor Township, York County, PA
YCPC File # 88-24

Mary E. Coble
Chairman

Sean P. Kenny
Vice Chairman

Matthew Chronister
Secretary

James J. Morris
Treasurer

Brian Brenneman

Thomas W. Earp

David Gonzalez

Walter A. Kuhl

Bruce Miller

Felicia S. Dell
Director

Jeffrey L. Rehmeyer II
Solicitor

The County of York states that it:

- It has adopted a county or multi-county comprehensive plan. If yes, please provide a date of adoption: 9/1/2021
- It has not adopted a county or multi-county comprehensive plan.

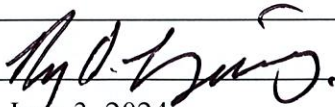
If applicable:

The above-reference project:

- Is consistent with the adopted county or multi-county comprehensive plan.
- Is not consistent with the adopted county or multi-county comprehensive plan.

Additional Comments: **Please see attached comments.**

Submitted by:

Name	Roy O. Livergood, Jr.
Title	Senior Planner
Contact Information	York County Planning Commission - 28 East Market Street, York, PA 17401
Signature	
Date	June 3, 2024
cc:	File

EQUAL
OPPORTUNITY
EMPLOYER

Comments:

All but a small portion of the York Water Company proposed sewer service area and extension are within a designated Rural Area which does not provide for the extension of public sewer and water to prevent development pressures in areas that support natural resources and agricultural activities. However, the Margareta MHP is an existing development, with existing public water service, an aging package WWTP, and a portion of the MHP is within a designated Secondary Growth Area. Given this information, the York County Planning Commission would be supportive of providing sewer service to an area limited to the Margareta MHP.

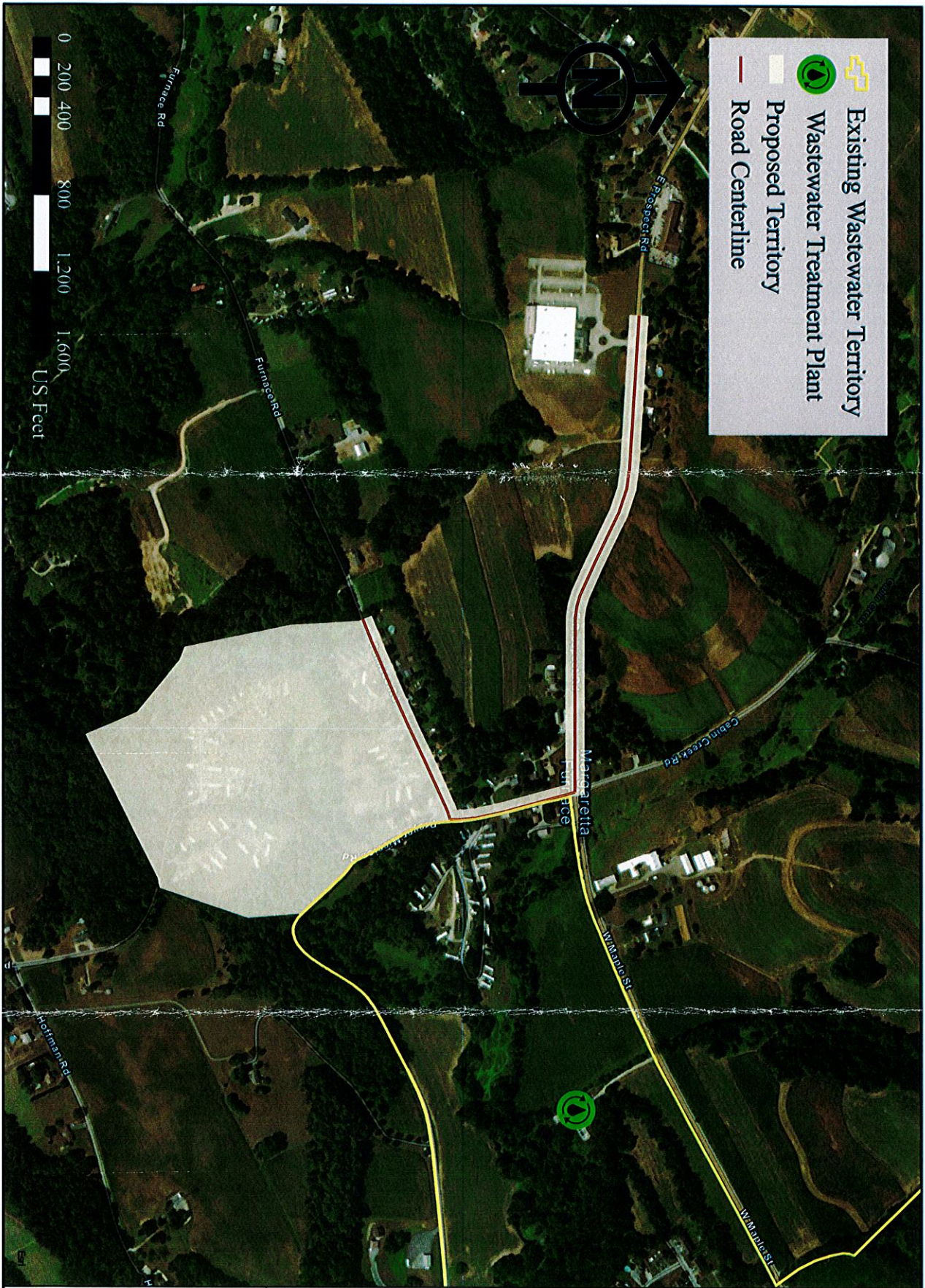
The seven (7) parcels north of Furnace Road range in size from .5 to 1.4 acres. They are not located in a primary or secondary growth area and are designated by the Township's Comprehensive Plan as Agricultural (see Exhibit 11.4). These parcels are indicated as being divided between none to severe on-lot soil limitations. The information provided by York Water does not indicate any current public health, safety, and welfare concerns. Therefore, the provision of public sewer service for these parcels would be inconsistent with the York County Comprehensive Plan.





The three (3) parcels to the west of Prayer Mission Road range in size from .5 to .9 acres. They are not located in a primary or secondary growth area and are designated by the Township's Comprehensive Plan as Agricultural (see Exhibit 11.4). These parcels are shown as being divided between none to severe/hazardous on-lot soil limitations. The information provided by York Water does not indicate any current public health, safety, and welfare concerns. Therefore, the provision of public sewer service for these parcels would be inconsistent with the York County Comprehensive Plan.

The five (5) parcels to the south of East Prospect Road range in size from .2 to 71 acres. The smaller parcel is vacant and appears to be an add on lot and the larger parcel is identified as Industrial with most of the property still being farmed. The parcels are not located in a primary or secondary growth area and are designated by the Township's Comprehensive Plan as Village along the parcel frontage and Agricultural for the remainder of the parcels (see Exhibit 11.4). There was a discussion of including the Village areas in a secondary growth area during the recent Township Comprehensive Plan Update, however this was not incorporated in the Plan. Beginning at the intersection of East Prospect Road and Prayer Mission Road and going west, the parcels are identified as having hazardous, severe, moderate, and no limitations for on-lot sewage disposal. The area occupied by the manufacturing/processing use is identified as having no limitations for the most part. Extending public sewer service to the larger Agricultural/Industrial use parcel could place future development pressures on the existing farmed area. The information provided by York Water does not indicate any current public health, safety, and welfare concerns. Therefore, the provision of public sewer service for these parcels would be inconsistent with the York County Comprehensive Plan.

The eight (8) parcels to the north of East Prospect Road range in size from .3 to 34 acres. They are not located in a primary or secondary growth area and are designated by the Township's Comprehensive Plan as Village along the parcel frontage and Agricultural for the remainder of the parcels (see Exhibit 11.4). The largest parcel is an undeveloped

agricultural parcel which is enrolled in Clean and Green and Agricultural Security. As noted previously, there was a discussion of including the Village areas in a secondary growth area during the recent Township Comprehensive Plan Update, however this designation was not incorporated in the Plan. Beginning at the intersection of East Prospect Road and Cabin Creek Road and going west, the parcels are identified as having hazardous, severe, moderate, and no limitations for on-lot sewage disposal. The information provided by York Water does not indicate any current public health, safety, and welfare concerns. Therefore, the provision of public sewer service for these parcels would be inconsistent with the York County Comprehensive Plan.

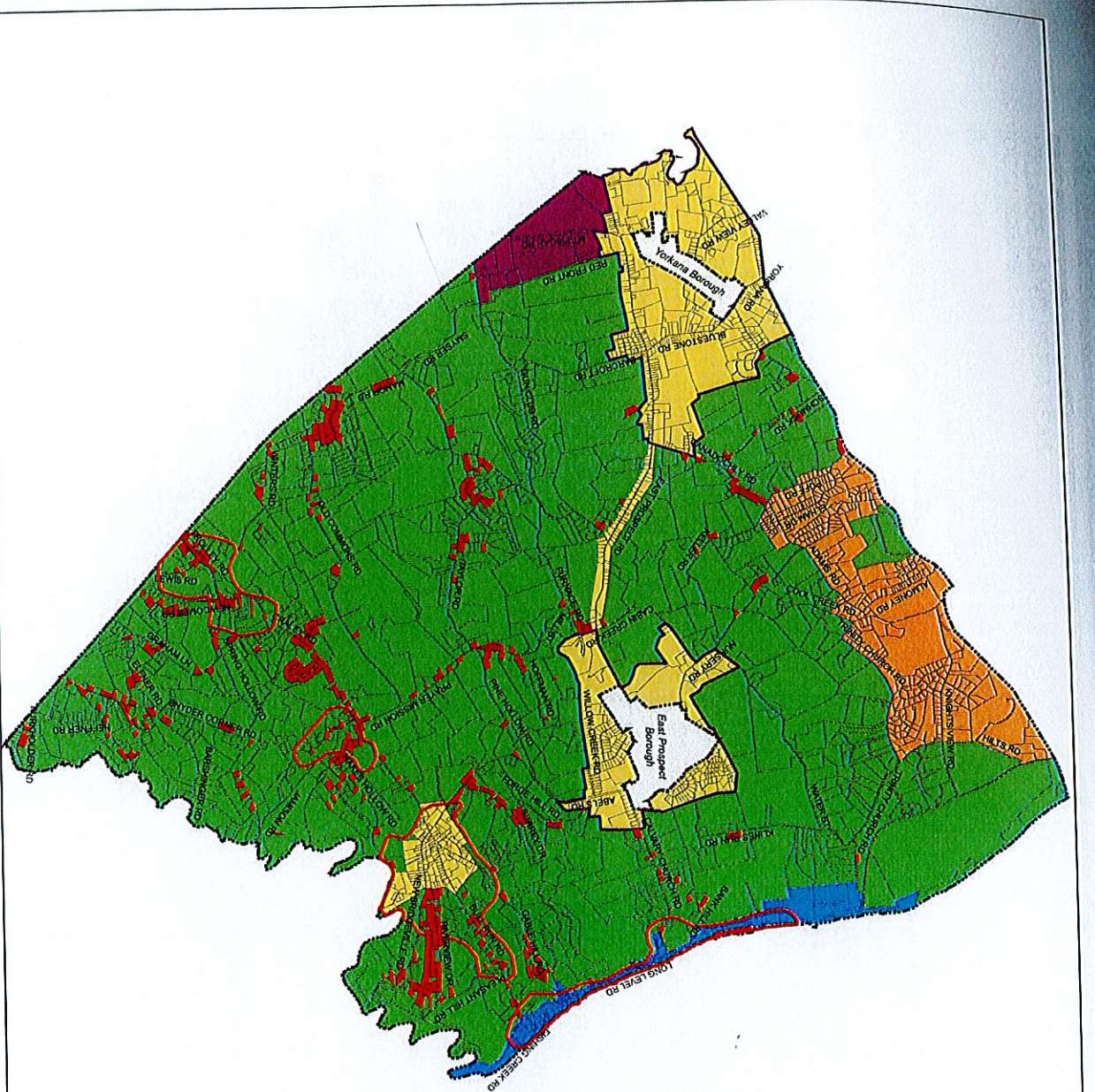


 Existing Wastewater Territory
 Wastewater Treatment Plant
 Proposed Territory
 Road Centerline

0 200 400 800 1,200 1,600 US Feet


The York Water Company
 130 E. Market St.
 York, Pa 17401
 (717) 845-3601

Title: Exhibit B-2: Proposed Territory Expansion & E. Prospect System	
Scale: 1 IN = 450 FT	Drawn By: Jason Heitmann
Date: May 14th, 2024	Checked By: JT Hand



Lower Windsor Township

York County, Pennsylvania

Exhibit 11.4

Future Land Uses and Agricultural Parcels Under 1 Acre

Legend

- Future Land Use Agricultural Parcels 1 Acre and under
- Primary Development Areas
- Secondary Development Areas

Future Land Use

- Agricultural - 79% (12,754 ac.)
- Residential - 6% (1,012 ac.)
- Village - 11% (1,761 ac.)
- Industrial - 2% (246 ac.)
- Waterfront Recreation - 2% (266 ac.)

Streams

- Streams
- Lower Windsor Township Boundary

Scale: 0, 2,000, 4,000, 8,000, 12,000 Feet

C.S. DAVIDSON, INC.
ENGINEERING & LETTER COMMUNITY

Exhibit K-1



The York Water Company

May 14, 2024

Lower Windsor Township Planning Commission
2425 Craley Road
Wrightsville, PA 17368

Re: York Water Company Application to Serve (Wastewater) Margareta Mobile Home Park,
Lower Windsor Township, York County **REVISED NOTICE**

York Water Company, a private utility entered into an Agreement to acquire the wastewater assets of the Margareta Mobile Home Park community which currently serves residents of that community. York Water Company will file an application with the PA Public Utility Commission (PUC) requesting a certificate of public convenience to furnish wastewater service to the public within the Margareta Mobile Home Park community, replacing the on-site system, and to provide wastewater service to properties immediately adjacent who have requested wastewater service in a portion of Lower Windsor Township, as depicted on the maps enclosed herewith. York Water Company's application requests to expand its water and wastewater charter areas to serve the area indicated on the attached map and wholly located in Lower Windsor Township.

We are requesting input from the Township to determine if York Water's proposed expansion (i.e. purchase of the Margareta wastewater facilities and associated service area) complies with the Township's land use planning.

Specifically, the PUC requests that the Township reviews the following questions:

1. Are there adopted municipal comprehensive plans for the townships/boroughs involved? Yes
2. Is there an adopted county comprehensive plan? Yes
3. Is there an adopted multi-municipal or multi-county comprehensive plan? No
4. Is there an adopted county or municipal zoning ordinance or joint municipal zoning ordinance? Yes
5. Is the proposed project consistent with these comprehensive plans and/or zoning ordinances? Yes
6. If the answer is "yes" to any of the above questions, please sign below, or submit a letter, indicating that the application is consistent with the applicable comprehensive plans and zoning ordinances. If the application is not consistent with the applicable comprehensive plans and zoning ordinances, please provide an explanation.

If you have any questions, please call me at (717) 718-2949 or email: alexc@yorkwater.com.

Sincerely,

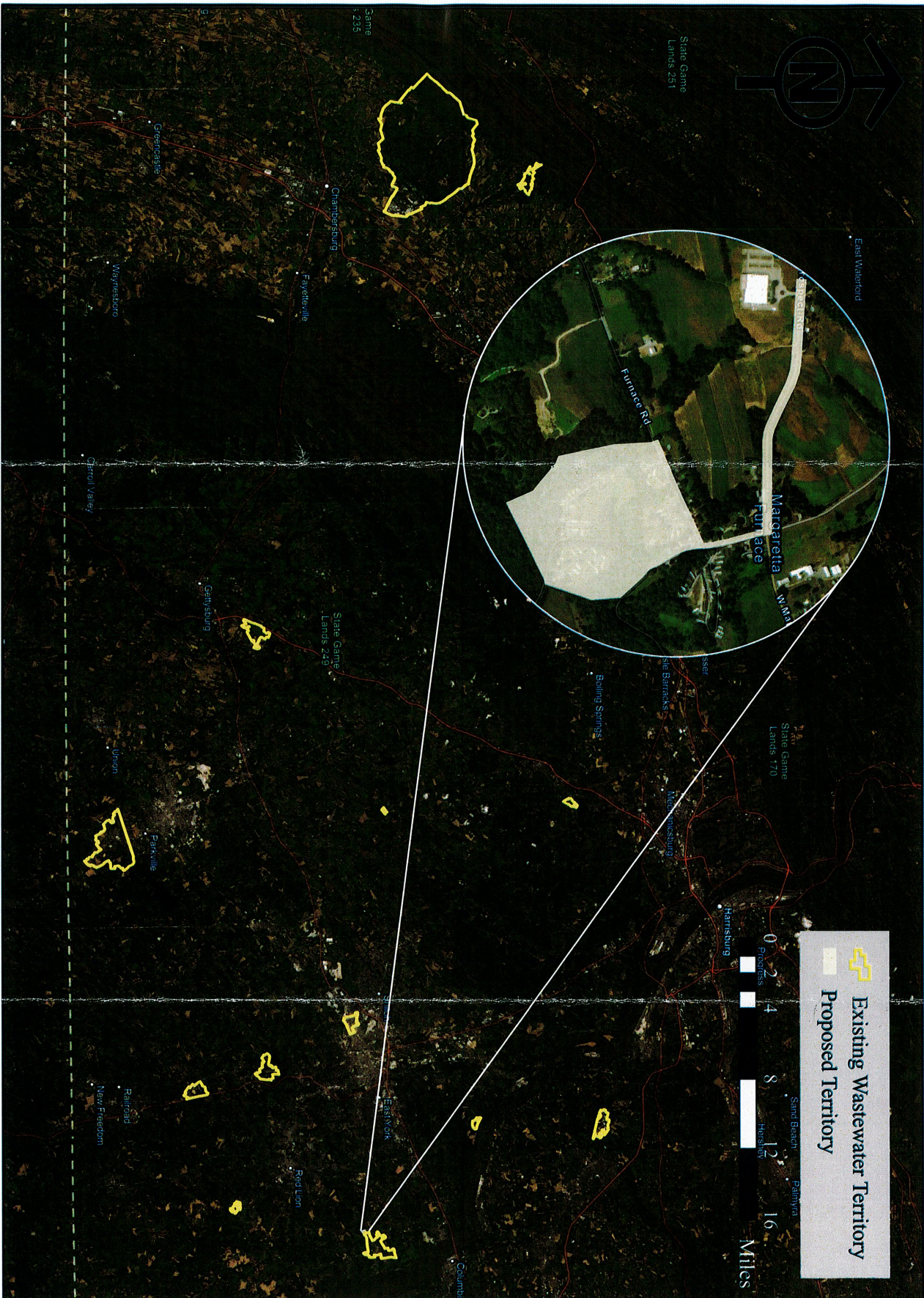
Alexandra Chiaruttini, Chief Administrative Officer

We concur that York Water's Application is consistent with the applicable comprehensive plans and zoning ordinances.


Lower Windsor Township Signature Monica Love

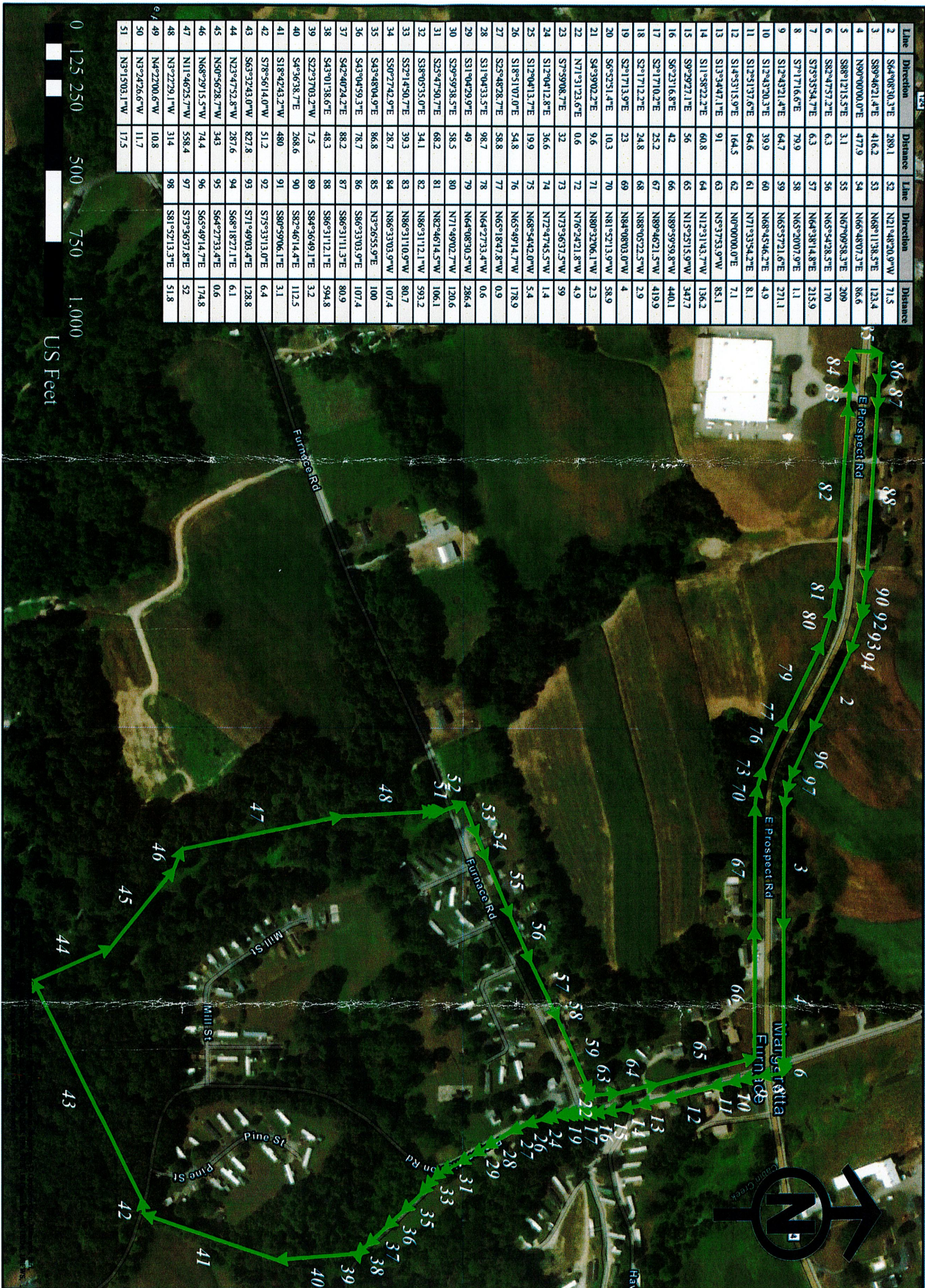
Printed Name/Title MONICA LOVE, ZONING OFFICER Date 6.5.24

Please return this completed form to alexc@yorkwater.com. Thank you.



Map data: Esri, DigitalGlobe, GeoEye, IGN, AerGRID, AIRPHOTOS, USDA, NRC, USGS, Swire, Esri, Intel, Earthstar, GeoEye, Inc.

 <p>The York Water Company 130 E. Market St. York, Pa 17401 (717) 845-3601</p>	Title: Exhibit B-1: Proposed Expansion & Existing Wastewater Territory	
	Scale: 1 IN. = 5 Miles	Drawn By: Jason Heitmann
	Date: May 14th, 2024	Checked By: JT Hand



Line	Direction	Distance	Line	Direction	Distance
2	S64°08'30.3"E	280.1	52	N21°48'20.9"W	71.5
3	S89°46'21.4"E	416.2	53	N68°11'38.5"E	123.4
4	N80°00'00.0"E	477.9	54	N66°48'07.3"E	86.6
5	S88°12'15.5"E	3.1	55	N67°00'58.3"E	209
6	S82°47'57.2"E	6.3	56	N65°54'28.5"E	170
7	S75°35'54.7"E	6.3	57	N64°38'14.8"E	215.9
8	S7°17'16.6"E	79.9	58	N65°20'07.9"E	1.1
9	S12°43'21.4"E	64.7	59	N65°57'21.6"E	211.1
10	S12°43'20.3"E	39.9	60	N68°45'46.2"E	4.9
11	S12°51'37.6"E	64.6	61	N71°33'54.2"E	8.1
12	S14°53'15.9"E	164.5	62	N0°00'00.0"E	7.1
13	S13°54'47.1"E	91	63	N5°37'31.9"W	85.1
14	S11°58'22.2"E	60.8	64	N12°31'43.7"W	136.2
15	S0°29'27.1"E	56	65	N15°25'15.9"W	347.7
16	S6°23'16.8"E	42	66	N89°59'59.8"W	440.1
17	S2°17'10.2"E	25.2	67	N89°46'21.5"W	419.9
18	S2°17'12.2"E	34.8	68	N88°05'22.5"W	2.9
19	S2°17'13.9"E	23	69	N84°08'03.0"W	4
20	S6°32'31.4"E	10.3	70	N81°52'13.9"W	58.9
21	S4°39'02.2"E	9.6	71	N80°32'06.1"W	2.2
22	N71°31'23.6"E	0.6	72	N76°24'21.8"W	4.9
23	S7°39'08.7"E	32	73	N73°56'37.5"W	59
24	S12°04'12.8"E	36.6	74	N72°47'45.5"W	1.4
25	S12°04'13.7"E	19.9	75	N68°54'42.0"W	5.4
26	S18°51'07.0"E	54.8	76	N65°49'14.7"W	178.9
27	S25°48'28.7"E	58.8	77	N65°18'41.8"W	0.9
28	S31°04'23.5"E	98.7	78	N64°27'33.4"W	0.6
29	S31°04'29.9"E	49	79	N64°08'30.5"W	286.4
30	S29°59'38.5"E	58.5	80	N71°54'02.7"W	120.6
31	S25°47'50.7"E	68.2	81	N82°46'14.5"W	106.1
32	S38°05'35.0"E	34.1	82	N86°31'12.1"W	593.2
33	S52°14'50.7"E	39.3	83	N86°31'10.9"W	80.7
34	S50°27'42.9"E	28.7	84	N86°33'03.9"W	107.4
35	S43°48'04.9"E	86.8	85	N3°06'55.9"E	100
36	S43°04'59.3"E	78.7	86	S86°33'03.9"E	107.4
37	S42°40'24.2"E	88.2	87	S86°31'11.3"E	80.9
38	S43°01'38.6"E	48.3	88	S86°31'12.1"E	594.8
39	S22°37'03.2"W	7.5	89	S84°56'49.1"E	3.2
40	S4°36'38.7"E	268.6	90	S82°46'14.4"E	112.5
41	S18°42'43.2"W	480	91	S80°59'06.1"E	3.1
42	S78°56'14.0"W	51.2	92	S75°31'13.0"E	6.4
43	S63°32'43.0"W	827.8	93	S71°49'03.4"E	128.8
44	N23°47'52.8"W	287.6	94	S68°18'27.1"E	6.1
45	N60°56'28.7"W	34.4	95	S64°27'33.4"E	0.6
46	N68°29'15.5"W	74.4	96	S65°49'14.7"E	174.8
47	N11°46'25.7"W	538.4	97	S73°56'37.8"E	52
48	N2°22'29.1"W	31.4	98	S81°52'13.3"E	51.8
49	N4°27'00.6"W	10.8			
50	N3°24'26.6"W	11.7			
51	N2°15'03.1"W	17.5			

0 125 250 500 750 1,000
US Feet



The York Water Company
130 E. Market St.
York, Pa 17401
(717) 845-3601

Title: Exhibit B-3a: Proposed Expansion w/ Metes & Bounds

Scale: 1 IN = 300 FT

Drawn By: Jason Heitmann

Date: May 14th, 2024

Checked By: JT Hand

Exhibit L

Commonwealth of Pennsylvania

Department of Environmental Protection

*In accordance with the
State Board for Certification of Water and Wastewater Systems Operators
and the Regulations of the
Department of Environmental Protection*

GROVER E BURACKER

Is Hereby Authorized to Operate
WASTEWATER SYSTEM

Class: A,E, Wastewater
Subclass: 1,2,3,4,5

Client ID: 317481

GROVER E BURACKER
2309 FAIRWAY DR
YORK PA 17408-9454

Issue Date Jan 1, 2024
Expiration Date Dec 31, 2026

Mary Roland

Board Chairperson

Certificate No. S19041

Above is your wall certificate. Please cut along the dotted line and display in plant office.

Below is your pocket card. Please cut along the dotted line and keep in a safe place.

IMPORTANT: It is your responsibility to notify Operator Certification if you have a change of mailing address, email, or phone number. Please visit the Operator Certification website at www.depweb.state.pa.us/operatorcenter to change your contact information or to obtain answers to your questions

If you have any questions concerning your certification call 717-787-5236.

Department of Environmental Protection
Operator Certification
PO Box 8454, 400 Market Street
Harrisburg, PA 17105-8454

**For Training Course Information and to check
your own training records go to the Earthwise
Academy website at
www.earthwise.dep.state.pa.us/edu**

**For training questions call 717.787.0122
or email DEPWSTechTrain@pa.gov**

Commonwealth of Pennsylvania

Department of Environmental Protection

*State Board for Certification of
Water and Wastewater Systems Operators*

Client ID: 317481 Expires: Dec 31, 2026

Certificate No. S19041, Wastewater

A,E 1,2,3,4,5

GROVER E BURACKER
2309 FAIRWAY DR
YORK PA 17408-9454

Exhibit M



The York Water Company

June 21, 2024 (Second Notice)

Dear Margaretta MHP Customer:


The York Water Company recently entered into an agreement to provide metered wastewater service to the Margaretta Community. While you're already an individually metered water customer of York Water, you will become a wastewater customer as well. After approval from our state regulators, each residence in the community will be billed for water and wastewater service. Our goal is to provide a smooth transition to Margaretta Estates residents.

York Water will soon apply to the Pennsylvania Public Utility Commission for a Certificate of Public Convenience ("PUC") to serve the wastewater needs of Margaretta Community. As a current Margaretta Community water customer, there is nothing you will need to do in order to initiate wastewater service nor will you incur any additional costs. Once approved by the PUC you will receive a follow-up letter informing you of the transition date. Until that time, you will continue to be customers of Margaretta Community, and you should contact their office for any wastewater-related questions.

After York Water acquires the system, you will be receiving one consolidated bill each month for your water and wastewater utility services. Once you are a wastewater customer of York Water and subject to approval by the PUC, residential customers will be billed monthly at a base rate of \$86.90 for the first 4,000 gallons, plus \$7.565 per thousand gallons of water per month if using less than 4,000 gallons. As an example, if you use 5,000 gallons of wastewater per month your cost under York Water's rates will be \$86.90+ \$7.57 totaling \$94.47. For customers enrolled in our Timely Automatic Payment "TAP" plan, York Water can automatically deduct the amount of the combined monthly bill directly from your bank account. Customers may choose to pay their bill conventionally by mail, electronically through their banking system or by accessing York Water's online payment portal. Once you are a wastewater customer of York Water there are no convenience fees for paying your bill electronically by e-check, debit or credit card.

York Water has been locally owned and operated since 1816 and now provides water/wastewater service to 55 municipalities in York, Adams, Franklin, and Lancaster counties and we look forward to providing the same superior service to our new wastewater customers in the Margaretta Community. Please read the back of this letter for Commonly Asked Questions. If you have any questions about this information or need additional information about the transition of wastewater service by York Water, please do not hesitate to contact the undersigned at vernonb@yorkwater.com or one of York Water's helpful customer service representatives at (717) 845-3601.

Sincerely,

 For V. Bracey

Vernon Bracey
Vice President, Customer Service

**The York Water Company
Margaretta Community Wastewater Project
June 19, 2024**

Dear Margaretta Community Resident:

The York Water Company (“York Water”) has entered into an agreement to provide metered wastewater service to the Margaretta Community. The following are commonly asked questions:

- 1. Why did Margaretta decide to sell the wastewater system?** Environmental regulations are making it more difficult for small wastewater systems to operate. The owners of Margaretta reviewed their options and determined that selling substantially all of the wastewater collection system is the best alternative for the long term needs of the Margaretta residents.
- 2. When do I become a wastewater customer of York Water?** Probably not for another 8-9 months or so. We will send out a “Welcome Packet” when that date gets closer.
- 3. Who must stay connected to the wastewater system?** All current customers of Margaretta will automatically become wastewater customers of York Water.
- 4. What must I do to become a wastewater customer of York Water? There is nothing you need to do at this time.**
- 5. I see York Water employees around the area, what are they doing?** We will have workers and contractors marking facilities, mains, services, and inventorying assets.
- 6. Are there any transfer fees?** No.
- 7. How much will my wastewater service cost?** Once you are a wastewater customer of York Water and subject to approval by the PUC, residential customers will be billed monthly at a base rate of \$86.90 for the first 4,000 gallons, plus \$7.565 per thousand gallons of water per month if using less than 4,000 gallons. As an example, if you use 4,500 gallons of wastewater per month your cost under York Water’s rates will be \$86.90+ \$7.56 totaling \$94.46.