



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

**LEAD SERVICE LINE REPLACEMENT PROGRAM PETITION**

Re: Petition for Lead Service Line Replacement Program

Docket No. P-2024-\_\_\_\_\_

Pursuant to Section 1311(b)(2) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1311(b)(2), and the Pennsylvania Public Utility Commission’s (Commission’s) Lead Service Line Replacement (LSLR) Regulations, 52 Pa. Code § 65.51, *et seq.*, the Company seeks Commission approval of its LSLR program and plan to replace Company-owned and customer-owned lead service lines (LSLs) and to recover the associated costs related to those replacements as set forth in the Company’s Lead Service Line Replacement Program (LSLR Program). In accordance with the LSLR Program and proposed tariff revisions, upon approval by the Commission, the Company will be able to begin replacing customer-owned LSLs at its sole cost and recover a return on and of those costs pursuant to Act 120.

**Company Name:** Tri-Valley Water Supply, Inc.

**Company Address:** PO Box 60 Lehighton, PA 18235

**Telephone No.:** 610-379-0400

**Email Address:** trivalleywater@yahoo.com

**Point of Contact:**  
Name: Kristen Tubbs  
Title: President  
Telephone No.: 610-379-0400  
Email Address: trivalleywater@yahoo.com

## **Appendix A**

Pro Forma LSLR Program Tariff Supplement to Tariff

## **Appendix B\_\_**

Data Responses to 52 Pa. Code § 53.52

## Data Responses to 52 Pa. Code § 53.52

**Part (a)** Whenever a public utility, other than a canal, turnpike, tunnel, bridge or wharf company files a tariff, revision or supplement effecting changes in the terms and conditions of service rendered or to be rendered, it shall submit to the Commission, with the tariff, revision or supplement, statements showing all of the following:

(1) The specific reasons for each change.

**Response: Required for the Lead Service Line Replacement Program**

(2) The total number of customers served by the utility.

**Response: 200**

(3) A calculation of the number of customers, by tariff subdivision, whose bills will be affected by the change.

**Response: 0**

(4) The effect of the change on the utility's customers.

**Response: There will be no change as there are currently no lead pipes in use.**

(5) The direct or indirect effect of the proposed change on the utility's revenue and expenses.

**Response: None**

(6) The effect of the change on the service rendered by the utility.

**Response: None**

(7) A list of factors considered by the utility in its determination to make the change. The list shall include a comprehensive statement about why these factors were chosen and the relative importance of each.

<b>Response:</b> The company checked to ensure that there are currently no lead pipes being used. We will ensure that no lead pipes are placed in any new construction or water line fixes.
(8) Studies undertaken by the utility in order to draft its proposed change.
<b>Response:</b> None
(9) Customer polls taken and other documents which indicate customer acceptance and desire for the proposed change. If the poll or other documents reveal discernible public opposition, an explanation of why the change is in the public interest shall be provided.
<b>Response:</b> None
(10) Plans the utility has for introducing or implementing the changes with respect to its ratepayers.
<b>Response:</b> There will be no changes necessary.
(11) Commission orders or rulings applicable to the filing.
<b>Response:</b> (a) <i>Rulemaking to Implement Act 120 of 2018 at 52 Pa. Code Chapters 65 and 66, Docket No. L-2020-3019521 (Final Rulemaking Order entered Mar. 14, 2022)</i> (b)

**Appendix \_C\_**

**Lead Service Line Replacement Plan**

## Lead Service Line Replacement Plan Requirements

### 52 Pa. Code § 65.56

**(a) Service line inventory:**

- (1) Entities subject to this chapter shall submit to the Commission a service line inventory that complies with United States Environmental Protection Agency regulation at 40 CFR 141.1—143.20 as enforced by the Department of Environmental Protection, inclusive of future changes as those regulations may be amended. Submit one electronic working copy and one hard copy of the Company's current service line inventory in a worksheet format and specify the Petition appendices where this information is provided.

**Response:** The hard copy of the current service line inventory is included in Appendix G.

- (2) Identify the assumptions that the entity used or will use in completing its service line inventory.

**Response:** The water lines have all been replaced by the previous owner. The company has working knowledge of all the materials used in these line replacements.

- (3) Until the inventory is complete, an entity shall provide detailed information regarding the progress of its service line inventory as part of its annual LSLR program report under § 65.59 (relating to LSLR program reports). Submit a statement acknowledging this requirement.

**Response:** We acknowledge that it is required to provide detailed information of the service line inventory as part of the LSLR program.

- (4) After an entity's service line inventory is complete, it must be incorporated into the entity's next LSLR plan update under § 65.57 (relating to periodic review of LSLR plan). Submit a statement acknowledging this requirement.

**Response:** We acknowledge that a complete service line inventory will be included in the next LSLR plan.

**(b) Planning and replacements:**

- (1) Provide the entity's projected annual investment in LSLRs with an explanation of the entity's anticipated sources of financing.

**Response:** Any financing required will be provided by profits from the company. There will not be a significant financial investment due to not needing any current updates.

<p>(2) Provide the entity's projected number of LSLRs per calendar year with an explanation of how the projection was determined and a statement that this number is consistent with the entity's annual cap on LSLRs.</p>
<p><b>Response:</b> There should only be 1 or 2 LSLRs due to not needing to update, only complete the check the current inventory to confirm.</p>
<p>(3) Identify the prioritization criteria considered by the entity when developing its LSLR schedule.</p>
<p><b>Response:</b> The company will ensure that the current inventory is correct and submit the LSLR in a timely manner.</p>
<p>(4) Provide an explanation of the entity's processes and procedures to address emergency repairs or replacements which reveal LSLs.</p>
<p><b>Response:</b> If a LSL is revealed, the company will immediately take out the line and replace with inventory of PVC pipe.</p>
<p>(5) Provide the entity's processes and procedures to obtain acceptance of a LSLR prior to LSLR project commencement if the customer is the property owner, and the entity's processes and procedures to obtain acceptance prior to LSLR project commencement if the customer is not the property owner</p>
<p><b>Response:</b> A letter would be sent to the property owner explaining the need to replacement of any lines, followed by a telephone call to discuss a timeline and logistics of the project.</p>
<p>(6) Provide the entity's processes and procedures based upon acceptance of a LSLR, including:</p>
<p>(i) A copy of the consent agreement form by which the customer or property owner, if the customer is not the property owner, will authorize the LSLR. Specify the Petition appendices where this information is provided.</p>
<p><b>Response:</b> Consent Agreement is in Appendix H</p>
<p>(ii) A brief description of the entity's process for LSLRs under normal conditions and under atypical conditions.</p>
<p><b>Response:</b> There are currently no LSLRs.</p>
<p>(iii) An explanation of the entity's process for coordination with the customer, and property owner, if the customer is not the property owner, and the information the entity will provide to the customer and the property owner throughout the LSLR process.</p>
<p><b>Response:</b> Any replacements to lines are always discussed and person or over the phone with the property owners prior to any work completed. This will not be necessary though to replace LSLRs.</p>

(iv) The entity's process for addressing LSLR completion or closeout, or both, with the customer and property owner, if the customer is not the property owner.
<b>Response:</b> We always discuss any line changes with the property owner if it is on the owner's property.
(7) Provide the entity's lead/material recycling and disposal efforts, including a description of what the entity will do with proceeds from recycling and disposal efforts.
<b>Response:</b> There will be no proceeds due to there being no lead material to replace.
(8) Provide a detailed explanation of the industry-accepted practices that the entity plans to use to replace entity-owned and customer-owned LSLs.
<b>Response:</b> Any materials would be taken out and replaced by industry-accepted materials. This, however, will not be necessary.
(9) Provide a detailed explanation of how the entity's acquisition of water distribution systems will be integrated into the entity's efforts to complete LSLRs throughout its water distribution systems.
<b>Response:</b> The company is not planning on acquiring any additional water distribution systems.
(10) Provide a copy of the entity's procedure for documenting refusal of, or failure to accept, the offer by the entity to replace a LSL, including the entity's duty to: (i) provide the customer and property owner, if the customer is not the property owner, with a complete disclosure of the known health hazards from the continued use of a LSL, (ii) inform the customer or property owner, if the customer is not the property owner, that refusal or failure to accept will require replacement of the customer-owned LSL, at the customer or property owner's expense, within 1 year from LSLR project commencement for the customer or property owner, if the customer is not the property owner, to be eligible for reimbursement, and (iii) communicate to the customer and property owner, if the customer is not the property owner, that failure to allow the entity to complete the LSLR or to replace the customer-owned LSL concurrent with the entity replacing the entity-owned LSL will lead to termination of water service under the provisions of the entity's tariff. Specify the Petition appendices where this information is provided.
<b>Response:</b> Appendix I
<b>(c) Communications, outreach and education:</b>
(1) Provide copies of all printed and broadcast material to be distributed under the entity's LSLR program. Specify the Petition appendices where this information is provided.
<b>Response:</b> There is no material required as no changes are currently necessary.

## Appendix D

### Verification Statement

I, Kristen Tubbs, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Signature: Kristen Tubbs

Title: President

Date: 6/20/24

## Appendix E

### Certificate of Service

#### CERTIFICATE OF SERVICE

I hereby certify that I have this day, the 20th day of June 2024, served a true copy of the foregoing documents upon the parties listed below in accordance with the requirements of §§ 1.54 (relating to service by a party) and 65.55(a) (relating to LSLR program requirements):

SERVED VIA ELECTRONIC MAIL AND FIRST CLASS MAIL, POSTAGE PREPAID

Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120  
[akaster@pa.gov](mailto:akaster@pa.gov)

Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5th Floor  
Harrisburg, PA 17101  
[ra-oca@paoca.org](mailto:ra-oca@paoca.org)

Office of Small Business Advocate  
555 Walnut Street  
Forum Place, 1st Floor  
Harrisburg, PA 17101  
[ra-sba@pa.gov](mailto:ra-sba@pa.gov)

Signature: Kristen Tubbs  
Title: President  
Date: 6/20/24

## **Appendix F**

### **Service Line Inventory Electronic Working Copy**

An electronic working copy of the Company's Service Line Inventory is included in the enclosed CD-ROM or USB flash drive or filed with the Commission's Secretary's Bureau electronically via the e-file system.

## **Appendix G**

### **Service Line Inventory Hard Copy**

## **Appendix H**

### **LSLR Consent Agreement Form**

## **Appendix I**

### **Company LSLR Refusal and Non-Acceptance Procedure**