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July 26, 2024

VIA ELECTRONIC AND U.S. MAIL

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Re: Joint Application of Deer Haven, L.L.C. and PL Utilities, LLC for approval of: (1) PL Utilities, LLC's acquisition of certain wastewater system assets of the Deer Haven, L.L.C.; (2) the abandonment by Deer Haven, L.L.C. of wastewater service to the public in Palmyra Township, Pike County Pennsylvania; and (3) PL Utilities, LLC to offer, render, furnish and supply wastewater service to the public in portions of Palmyra Township, Pike County, Pennsylvania
Docket Nos. A-2024-3049587 and A-2024-3049591

Dear Secretary Chiavetta:

Attached please find Responses to TUS Data Request Set 1, Nos. A-9, A-16, Amended A-18, A-20, A-21, A-23, A-27 and A-32, Joint Application of Deer Haven, L.L.C. and PL Utilities, LLC for approval of: (1) PL Utilities, LLC's acquisition of certain wastewater system assets of the Deer Haven, L.L.C.; (2) the abandonment by Deer Haven, L.L.C. of wastewater service to the public in Palmyra Township, Pike County Pennsylvania; and (3) PL Utilities, LLC to offer, render, furnish and supply wastewater service to the public in portions of Palmyra Township, Pike County, Pennsylvania.

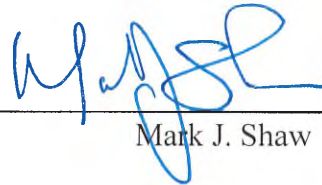
Copies of the responses were served on the parties of record per the attached Certificate of Service.

July 26, 2024
Page -2-

Very truly yours,

MacDONALD, ILLIG, JONES & BRITTON LLP

By



Mark J. Shaw

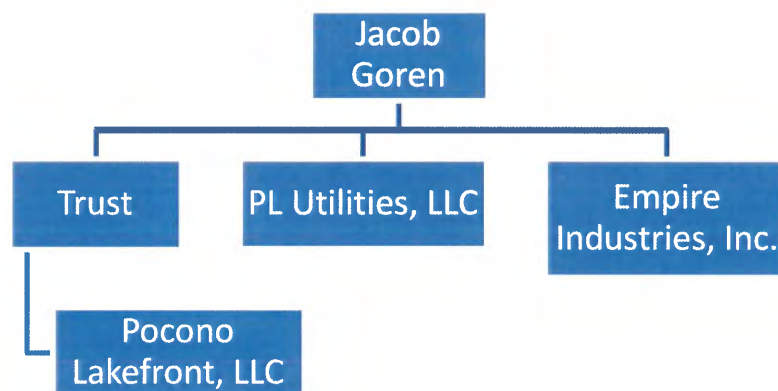
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Attachment

cc: Adeolu A. Bakare, Esq., Counsel for Deer Haven, L.L.C. (*Via electronic mail*)

A-9. Please provide a current copy of an organizational chart for PLU that depicts PLU's parent, subsidiary and affiliate companies.

RESPONSE: PLU is a limited liability company under Pennsylvania law. As such it has "members". The sole member of PLU is Jacob Goren. Mr. Goren has other business interest as well. Below is an Organizational Chart depicting his relevant business interests that have some connection to PLU's proposed operations as a public utility.



Responsible Witness: Jacob Goren

Date: 7/26/24

A-16 The map provided as the Joint Application's Exhibit O does not appear to quantify the total area of the requested service territory. Please quantify the area of the requested service territory in acres.

RESPONSE: Based on the properties located within the service territory and looking at the County Tax Map, the calculated area is approximately 140 acres.

Responsible Witness: Mark J. Shaw, Esq.

Date: 7/26/24

A-18 Please provide verification that the boundaries of the requested service territory, depicted in the Joint Application's Attachment O, match the boundaries of Deer Haven's existing certificated service territory.

AMENDED

RESPONSE: Based on a review of the available service area map found in the DEP file, attached hereto as Attachment W; a historical survey map attached hereto as Attachment X and the service area map submitted with the application (See Attachment O) it appears that the requested service territory is the same as the existing service territory. The submitted service territory is also consistent with the areas that are, in fact, being served.

Upon further review, it is not clear that the area that is non-contiguous to the balance of the service area known as Pinecrest (Tax ID Nos. 070.04-03-02 and 070.06-01-15 - approximately 1.567 acres) was originally included in the service area despite receiving sewer service from Deer Haven at the time the Certificate was issued. To the extent such area was not officially included within the Certificated Service Area despite being served, PLU respectfully requests that the Commission grant a waiver and recognize that this Pinecrest area falls with the Certificated Service Area as necessary to approve the Joint Application.

Response Provided by: Jacob Goren

Date: 7/26/24

A-20 Please provide a copy of PLU's business plan required by the Department of Environmental Protection (DEP) in 25 Pa. Code § 109.503(a)(3) (relating to public water system construction permits).

RESPONSE: PLU included the text of its business plan within the application for Certificate of Public Convenience that was filed with the Commission. PLU believes this meets the requirements of 25 Pa. Code § 109.503(a)(3) as would be applied to wastewater systems. To the extent any specific elements of 25 Pa. Code § 109.503(a)(3) are determined to not be met, PLU respectfully requests that the Commission grant a waiver on those missing items as necessary to approve the Joint Application.

Responsible Witness: Jacob Goren

Date: 7/26/24

A-21 In Section 27 of the Joint Application, it is stated that Deer Haven currently collects approximately \$34,000 per year from customers and PLU estimates annual expenses to operate the existing treatment plant are approximately \$50,000 per year. Please provide a detailed description of how PLU will subsidize the estimated operating losses to provide adequate wastewater service.

RESPONSE: **The difference in cost between the amount collected and the amount it costs to provide service will be provided by its member, Jacob Goren, initially either by additional contributions to the LLC by Mr. Goren as its sole member or in the form of loans from Mr. Goren to the LLC. Mr. Goren has the financial ability to cover the costs differences. At some point in the future, PLU will need to seek a rate increase to cover the cost of the annual expenses, among other items.**

Responsible Witness: Jacob Goren

Date: 7/26/24

A-23 Please identify the estimated number of customer connections, by class, for the first, fifth and tenth years of operations under PLU as well as the estimated gallons of wastewater treated in each of those years.

RESPONSE: Presently, the number of customers is 62, which is estimated at 23,000 GPD. Annual flows prior to development are estimated at 8.3 million gallons. The proposed development would add another 218 EDUs, which is estimated to generate approximately 44,000 gpd. Converted to an annual flow, is the development is entirely built out, the estimated annual flow would be 24.46 million gallons. It is unknown when the development will be initiated or completed at this time.

Responsible Witness: Jacob Goren

Date: 7/26/24

A-27 In the Joint Application the Applicants request approval of this Joint application to allow for the decommissioning of the existing WWTP. Please quantify the estimated cost of decommissioning the existing WWTP and identify the entity responsible for this expense.

RESPONSE: PLU is responsible to decommission the existing treatment plant and the estimated cost is approximately \$68,000.

Responsible Witness: Jacob Goren

Date: 7/26/24

A-32 In the Joint Application, the Applicants indicated that the only remaining construction work to be done is to make the final connections to the existing WWTP. Please quantify the estimated cost and time required to complete the referenced remaining work.

RESPONSE: **The cost is estimated to be around \$25,000 to complete the connections. The connections can be accomplished in about 2-3 days, but the contractor will need about 2-3 weeks notices to get things scheduled.**

Responsible Witness: Jacob Goren

Date: 7/26/24

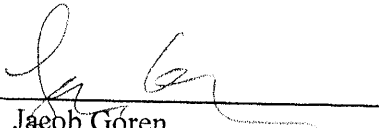
TUS Data Request Set 1

Joint Application of Deer Haven, L.L.C. and PL Utilities, LLC for approval of: (1) PL Utilities, LLC's acquisition of certain wastewater system assets of the Deer Haven, L.L.C.; (2) the abandonment by Deer Haven, L.L.C. of wastewater service to the public in Palmyra Township, Pike County Pennsylvania; and (3) PL Utilities, LLC to offer, render, furnish and supply wastewater service to the public in portions of Palmyra Township, Pike County, Pennsylvania at Docket Nos. A-2024-3049587 and A-2024-3049591

VERIFICATION

I, Jacob Goren, hereby state that the averments set forth in the foregoing TUS Data Request Set 1 (Nos. A-9, A-16, A-18, A-20, A-21, A-23, A-27 and A-32) at Docket Nos. A-2024-3049587 and A-2024-3049591, are true and correct to the best of my knowledge, information, and belief. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: 7 23 2024



Jacob Goren

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, by the manner indicated below on Friday, July 26, 2024, and in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party):

SERVICE AS FOLLOWS:

Via Electronic Mail

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Melanie Joy El Atieh
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choover@paoca.org
melatieh@paoca.org

Via Electronic Mail

NazAarah Sabree
Assistant Small Business Advocate
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Via Electronic Mail

Allison C. Kaster, Director
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
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akaster@pa.gov

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Clinton McKinley
Water/Wastewater Section of Bureau of
Technical Utility Services
cmckinley@pa.gov

Respectfully submitted,



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