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July 31, 2024

**By Electronic Filing**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor (filing room)  
Harrisburg, PA 17120

Re: Columbia Water Company; Petition of Columbia Water Company for Approval of a Lead Service Line Replacement Program, Related Tariff Changes, Modification of Long-Term Infrastructure Improvement Plan, and Waiver of Termination Regulations; Docket No. P-2023-3041845; **JOINT PETITION FOR APPROVAL OF UNANIMOUS SETTLEMENT OF ALL ISSUES**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is the Joint Petition for Approval of Unanimous Settlement of All Issues in connection with the above-captioned matter.

If you have any questions, please feel free to contact me at (717) 236-1300.

Very truly yours,

*/s/ Phillip D. Demanchick Jr.*

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*Counsel for Columbia Water Company*

PDD/das

Enclosure

cc: Honorable Mary D. Long (by email, [malong@pa.gov](mailto:malong@pa.gov))  
Honorable Charece Z. Collins (by email, [charcollin@pa.gov](mailto:charcollin@pa.gov))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Columbia Water Company for :  
Approval of a Lead Service Line :  
Replacement Program, Related Tariff : Docket No. P-2023-3041845  
Changes, Modification of Long-Term :  
Infrastructure Improvement Plan, and :  
Waiver of Termination Regulations :

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**JOINT PETITION FOR APPROVAL OF  
UNANIMOUS SETTLEMENT OF ALL ISSUES**

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Dated: July 31, 2024

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## I. INTRODUCTION

Columbia Water Company (“Columbia Water” or the “Company”), the Office of Consumer Advocate (“OCA”), and the Office of Small Business Advocate (“OSBA”) (singularly a “Petitioner” and collectively the “Joint Petitioners”) hereby join in this Joint Petition for Approval of Unanimous Settlement of All Issues (“Joint Petition” or the “Settlement”).<sup>1</sup> The Joint Petitioners respectfully request that the Honorable Administrative Law Judges Mary D. Long and Charece Z. Collins (the “Presiding Officers”) recommend approval of, and the Pennsylvania Public Utility Commission (“Commission”) approve, this Settlement, without modification.

The Joint Petition<sup>2</sup> is organized into various sections. **Section II** contains the procedural history of the proceeding. **Section III** contains the terms and conditions of the proposed Settlement. These terms include, *inter alia*, modifications to the Company’s Lead Service Line Replacement Plan and Pro Forma Tariff Supplement, and additional provisions related to the Company’s rate of lead service line replacements and periodic review of the Company’s Lead Service Line Replacement Plan. The modifications to the Company’s Lead Service Line Replacement Plan and Pro Forma Tariff Supplement are reflected in **Exhibit 2** and **Exhibit 3**, respectively. **Section IV** explains that the proposed Settlement is in the public interest.

Ultimately, the Settlement is in the public interest because it provides a reasonable resolution of the proceeding in a manner than enhances the Company’s proposed Lead Service Line Replacement Program and addresses the concerns raised by the OCA in this proceeding.<sup>3</sup> Moreover, approval of the Settlement will allow the Company to begin addressing the public health

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<sup>1</sup> The Pennsylvania Public Utility Commission’s Bureau of Investigation and Enforcement (“I&E”) does not oppose the Settlement.

<sup>2</sup> **Exhibit 1** hereto contains proposed conclusions of law and ordering paragraphs.

<sup>3</sup> The OCA is the only party that raised concerns related to the Company’s Lead Service Line Replacement Program. *See, generally*, OCA Answer. OSBA and I&E intervened in the proceeding but did not raise any material issues.

concerns associated with lead service lines by establishing a comprehensive plan to replace all remaining Company-owned and customer-owned LSLs within its system. This settlement is also consistent with the Commission’s policy promoting negotiated settlements and was reached after an investigation of the Company’s filing, including informal discovery, and exhaustive settlement negotiations. Acceptance of the Settlement will also avoid the necessity of further administrative proceedings regarding the settled issues at what would have been a substantial cost to the Joint Petitioners. Accordingly, for these reasons, and those described in more detail below, the Settlement is in the public interest and should be approved by the Presiding Officers and the Commission, without modification.

In support of the Settlement, the Joint Petitioners state the following:

## **II. PROCEDURAL HISTORY**

1. On July 21, 2023, Columbia Water filed its Petition for Approval of a Lead Service Line Replacement Program, Related Tariff Changes, Modification of Long-Term Infrastructure Improvement Plan, and Waiver of Termination Regulations (“LSLR Petition”). The LSLR Petition was docketed at Docket No. P-2023-3041845.

2. By way of its LSLR Petition, the Company seeks approval from the Commission regarding the Company’s proposed Lead Service Line Replacement Program 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 its Lead Service Line Replacement Plan.

3. On August 10, 2023, the Office of Small Business Advocate (“OSBA”) filed a Notice of Intervention, Public Statement, Verification, and Notice of Appearance.

4. On August 10, 2023, the OCA filed an Answer and Verification responding to the Company’s LSLR Petition and requesting, among other things, that this matter be assigned to the Office of Administrative Law Judge (“OALJ”) for hearings.

5. This matter was subsequently assigned to the OALJ and further assigned to Administrative Law Judges Mary D. Long and Charece Z. Collins.

6. On September 13, 2023, the Company submitted responses to the data requests of the Bureau of Technical Utility Services (“TUS”) revising certain portions of its Lead Service Line Replacement Plan, its proposed Pro Forma Tariff Supplement, and its proposed Modified Long-Term Infrastructure Improvement Plan.

7. On September 19, 2023, an Initial Telephonic Prehearing Conference Notice was issued setting a Prehearing Conference for October 5 at 1:30 P.M. The Presiding Officers also issued a Prehearing Conference Order directing the parties to file Prehearing Memoranda by Tuesday, October 3, 2023.

8. On September 20, 2023, the Commission’s Bureau of Investigation and Enforcement (“I&E”) filed a Notice of Appearance.

9. On October 3, 2023, prehearing conference memoranda were filed by the Company, I&E, the OCA, and OSBA.

10. On October 5, 2023, a telephonic prehearing conference was held as scheduled. The following parties were present at the prehearing conference: Columbia Water, I&E, OCA, and OSBA (collectively, the “Parties”). At the prehearing conference, the Parties requested that they be provided 90 days to discuss settlement prior to establishing a formal litigation schedule in this proceeding, subject to providing the Presiding Officers monthly status updates.

11. On October 5, 2023, the Presiding Officers issued Prehearing Order #1 providing the Parties until Monday, January 8, 2024, to discuss potential settlement of this matter prior to formal litigation. The Parties were also directed to e-mail monthly status reports to the Presiding Officers no later than November 9, 2023, December 11, 2023, and January 8, 2024, respectively.

12. On November 15, 2023, Rebecca Lyttle, Esquire, filed a Notice of Appearance on behalf of the OSBA.

13. On January 8, 2024, the Parties advised that they were continuing to engage in settlement negotiations. The Parties, therefore, requested an additional 90 days to discuss settlement prior to proceeding with formal litigation of this matter.

14. On January 8, 2024, the Presiding Officers issued Prehearing Order #2 providing the Parties until Monday, April 8, 2024, to discuss potential settlement of this matter prior to formal litigation. The Parties were also directed to e-mail monthly status reports to the Presiding Officers no later than February 7, 2024, March 8, 2024, and April 8, 2024, respectively.

15. On April 9, 2024, the Parties advised that they were continuing to engage in settlement negotiations. The Parties also requested a final 30 days to discuss settlement and determine whether a procedural schedule should be set for the proceeding. The Presiding Officers granted the Parties' request and also advised that they would schedule a second prehearing conference for June 6, 2024.

16. On April 11, 2024, a Further Telephonic Prehearing Conference Notice was issued setting a telephonic prehearing conference notice for June 6, 2024.

17. On June 5, 2024, Columbia Water filed a Motion for Summary Judgment of its Petition.

18. On June 6, 2024, a Prehearing Conference was held as scheduled. The following parties were present at the prehearing conference: Columbia Water, the OCA, and OSBA. The Parties confidentially discussed the potential settlement of this proceeding and reached an agreement on a settlement term sheet. The Parties requested permission to submit settlement

documentation no later than July 31, 2024. Columbia Water also indicated that it would seek to withdraw its Motion for Summary Judgment.

19. On June 6, 2024, Columbia Water filed a Letter Petition for Leave to Withdraw Motion for Summary Judgment, without prejudice.

20. On June 13, 2024, the Presiding Officers issued Prehearing Order # 3, directing the Joint Petitioners to file a joint settlement petition, together with statements in support of settlement, no later than Wednesday, July 31, 2024, and granting Columbia Water's Letter Petition to Withdraw Motion for Summary Judgment, without prejudice.

21. On July 31, 2024, the Joint Petitioners filed a Joint Stipulation of Facts.

### **III. SETTLEMENT TERMS**

22. The Joint Petitioners agree to the following terms and conditions.

#### **A. Approval of the Lead Service Line Replacement Petition**

23. The Joint Petitioners agree that the Commission should approve Columbia Water's LSLR Petition, as modified by the terms and conditions set forth in this Settlement.

#### **B. Approval of the Lead Service Line Replacement Plan**

24. In accordance with 52 Pa. Code §§ 65.55(b)(1) and 65.56, Columbia Water submitted a Lead Service Line Replacement Plan, including Appendices A-N and an Initial Lead Service Line Inventory. The Lead Service Line Replacement Plan, including Appendices A-N, was attached as Exhibit No. 1 to the LSLR Petition. The Initial Lead Service Line Inventory was separately attached as Exhibit No. 2 to the LSLR Petition. The Lead Service Line Replacement Plan and Appendix L were subsequently amended on September 13, 2023, in response to data requests from TUS (as amended, the "LSLR Plan").

25. The Joint Petitioners agree that the Company has modified its LSLR Plan, as shown in **Exhibit 2**, to reflect that the Company will:

a. Contact customers within an LSLR Project Area at least two times over the six-month period once an LSLR Project Area has been identified, or until the customer responds to the Company, whichever is sooner, to determine whether there are customer-owned lead service lines and to verify the presence of the customer-owned lead service lines. Customers will initially receive a phone call to set up an appointment for an interior inspection of the service line. Door hangers and/or a mailed letter explaining the health effects of lead and documentation explaining the service line program will be used if the customer cannot be contacted via telephone.

b. Provide customer(s) affected by an LSLR with a pitcher filter, six months of replacement cartridges, and use instructions approximately thirty days prior to the scheduled LSLR, but no later than the day of the LSLR. The affected customer(s) will be provided a pitcher filter hand delivered by the Company. If there isn't a customer home at the time of delivery, the Company will use a door hanger indicating how a pitcher can be obtained. A follow-up phone call will also be made to the customer to determine whether they received the door hanger and that they should either pick their pitcher filter up at our main office of 220 Locust St, Columbia PA 17512, or schedule to have someone deliver the pitcher prior to the LSLR.

c. Offer a new customer applying for water service in a household that previously refused a LSLR replacement the option to have CWC replace the customer portion of the LSL to reestablish service. Prior to offering the applicant an LSLR, the Company will verify that the applicant owns the property for which service is requested.

d. Ensure that the Company's LSLR website and all documentation regarding LSLRs will be available in both English and Spanish and, upon request, the Company will provide any/all documentation regarding LSLRs in other languages to customers directly. The Company will also make its translation services available to customers who call the Company's customer service and request translation of the written information into other languages.

e. Mail Appendix M of the LSLR Plan and a letter detailing eligibility for an LSLR reimbursement and instructions on how to obtain the reimbursement to customers within the LSLR Project Area no later than 30 days after LSLR Project Commencement. Any handout necessary for a customer or owner to receive reimbursement shall be mailed physically and electronically mailed to customers and owners, along with the forms remaining available on the company's website, on a reasonable best-efforts basis where the Company has the customer or property owner's email address.

26. The Joint Petitioners agree that the Company will modify Appendix I of the LSLR Plan to include the following statement: "Columbia Water Company will contact you with the sample results. If a sample exceeds 15 ug/L of lead, notification will be no later than 3 calendar days of sample results. If a sample doesn't exceed 15 ug/L of lead, notification will be no later than 30 days of the sample results."

27. A redlined version of the Company's LSLR Plan, as further modified by this Settlement, is attached to this Joint Petition as **Exhibit 2**.

28. The Joint Petitioners agree that the Commission should approve the LSLR Plan, as modified by this Settlement.

**C. Approval of Pro Forma Tariff Supplement**

29. In accordance with 52 Pa. Code §§ 65.55(b)(2) and 65.58, Columbia Water submitted a pro forma tariff supplement containing the proposed changes to the Company's Tariff – Water Pa. P.U.C. No. 7 necessary to implement the LSLR Plan, which was attached as Exhibit No. 3 to the LSLR Petition. The pro forma tariff supplement was amended on September 13, 2023, in response to data requests from TUS (as amended, the "LSLR Tariff Supplement").

30. The Joint Petitioners agree that the Company has modified its LSLR Tariff Supplement to reflect that the Company will:

a. Post a 48-hour notice at the customer's premises prior to the date of termination for refusal to replace the customer-owned LSL.

b. Provide notice pursuant to the LSLR Tariff Supplement to every resident that lives at a multi-residential building that is affected by a termination as a result of an LSLR refusal.

31. A redlined version of the Company's LSLR Tariff Supplement, as further modified by this Settlement, is attached to this Joint Petition as **Exhibit 3**.

32. The Joint Petitioners agree that the Commission should direct Columbia Water, pursuant to 52 Pa. Code § 65.55(b)(3), to submit a compliance tariff to the Commission consistent with **Exhibit 3** (the LSLR Tariff Supplement, as modified by this Settlement), effective after one day's notice.

**D. Approval of the Modified Long-Term Infrastructure Improvement Plan**

33. In accordance with 52 Pa. Code § 65.54(b), Columbia Water submitted a modified LTIIIP containing the LSLR Plan as a separate and distinct component of the LTIIIP, which was attached as Exhibit No. 4 to the LSLR Petition. The modified LTIIIP was amended on September 13, 2023, in response to data requests from TUS (as amended, the "Modified LTIIIP").

34. A redlined version of the Company's Modified LTIIIP is attached to this Joint Petition as **Exhibit 4**.

35. The Joint Petitioners agree that the Commission should approve the Modified LTIIIP.

**E. Periodic Reviews of the LSLR Plan**

36. Following Commission approval of the Petition, Columbia Water will submit lead service line replacement program reports in compliance with 52 Pa. Code § 65.59.

37. Following Commission approval of the Petition, Columbia Water will periodically update the LSLR Plan, in compliance with 52 Pa. Code § 65.57.

**F. Lead Service Line Replacement Rate**

38. The Company agrees to complete replacements of all Company-owned and customer-owned LSLs within ten program years if the Lead and Copper Rule Improvements (“LCRI”) rulemaking promulgated by the Environmental Protection Agency is finalized, codified, and becomes law, and requires that water systems complete replacements within ten years. *See* National Primary Drinking Water Regulations for Lead and Copper: Improvements (LCRI), 88 Fed. Reg. 84878 (proposed Dec. 6, 2023).

**G. Other Necessary Approvals**

39. The Commission shall issue any other approvals or certificates appropriate, customary, or necessary under the Public Utility Code for Columbia Water to carry out the Lead Service Line Replacement Program contemplated in the LSLR Petition in a lawful manner.

**H. Standard Settlement Terms**

40. The Commission’s approval of the Settlement shall not be construed as approval of any Petitioner’s position on any issue, but rather as an agreed-to compromise of the Joint Petitioners’ competing positions. It is understood and agreed among the Joint Petitioners that the Settlement terms are the result of compromise and do not necessarily represent the position(s) that would be advanced by any Petitioner in this or any other proceeding, if it were fully litigated.

Accordingly, the Settlement terms may not be cited as precedent in any future proceeding, except to the extent required to implement or enforce any Settlement term herein.

41. This Settlement is presented without prejudice to the position any of the Joint Petitioners may advance in future proceedings, except to the extent necessary to effectuate or enforce any term specifically agreed to by the Joint Petitioners in this Settlement.

42. This Settlement is conditioned upon the Commission's approval of the terms and conditions contained herein without modification. In reaching this Settlement, the Joint Petitioners thoroughly considered all issues and give and take of positions. As a result of that consideration, the Joint Petitioners believe that the settlement agreement meaningfully addresses all such issues raised and therefore should be approved without modification. If the Commission should disapprove the Settlement or modify any terms and conditions herein, this Settlement may be withdrawn upon written notice to the Commission and all active parties within five (5) business days following entry of the Commission's Order by any of the Joint Petitioners and, in such event, shall be of no force and effect. In the event that the Commission disapproves the Settlement or the Company or any other Petitioner elects to withdraw the Settlement as provided above, the Joint Petitioners reserve their respective rights to fully litigate this case, including, but not limited to, presentation of witnesses, cross-examination and legal argument through submission of Briefs, Exceptions and Replies to Exceptions.

43. If the Presiding Officers, in the Recommended Decision, recommend that the Commission adopt the Settlement as herein proposed, without modification, the Joint Petitioners agree to waive the filing of Exceptions. However, to the extent any terms and conditions of the Settlement are modified, or additional matters are proposed by the Presiding Officers in the Recommended Decision, the Joint Petitioners do not waive their rights to file Exceptions in support

of the Settlement. The Joint Petitioners also reserve the right to file Replies to any Exceptions that may be filed provided such Replies support the Settlement.

44. The Joint Petitioners agree that this document may be signed or executed in separate counterparts or signature pages that shall be binding upon the Joint Petitioners and such counterparts shall be considered as one document.

#### **IV. THE SETTLEMENT IS IN THE PUBLIC INTEREST**

45. Lead is a heavy metal that commonly occurs in our environment. Humans can be exposed to lead through a variety of sources, including dust, soil, or paint chips, as well as through ingestion from drinking water. The deleterious health effects of lead are now well-recognized. As stated in 40 C.F.R. § 141.85(a)(1)(ii):

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

46. In October 2018, Governor Wolf signed into law Act 120 of 2018, which became effective on December 23, 2018. Act of October 24, 2018, P.L. 738, No. 120 (“Act 120 of 2018”). Act 120 of 2018 amended Section 1311(b) of the Public Utility Code in order to, *inter alia*, authorize water utilities to pursue comprehensive replacement of lead service lines that remain in service across Pennsylvania subject to Commission approval. 66 Pa. C.S. § 1311(b). Specifically, Act 120 of 2018 provides that replacing a customer-owned LSL does not make the utility the owner of the new service line on the customer’s property. 66 Pa. C.S. § 1311(b)(2)(i). Act 120 of 2018 also directs the Commission to establish standards to ensure a warranty on the utility’s replacement work and reimburse customers who replaced lead service lines at their own cost. 66 Pa. C.S. §

1311(b)(2)(vii). Additionally, Act 120 of 2018 establishes the accounting and ratemaking treatment of lead service line replacement costs by providing that the customer-owned portion of LSLs may be included in a regulated utility's rate base upon which it is authorized to earn a return. 66 Pa. C.S. § 1311(b)(2)(i)-(iii).

47. Pursuant to Act 120 of 2018, the Commission promulgated regulations at 52 Pa. Code §§ 65.51, *et seq.*, which became effective on July 23, 2022 ("LSLR Regulations"). 52 Pa. Code § 65.53 states that "[a]n entity...shall remove and replace all LSLs, whether entity-owned or customer-owned, within or connected to its water distribution systems within 25 years from the effective date of this section for a Class A public utility..." Moreover, pursuant to 52 Pa. Code § 65.55(a), a Class A public utility or authority shall file a LSLR Program within 1 year of the effective date of this section, or by July 23, 2023.

48. Through its LSLR Petition, the Company is requesting approval of its LSLR Program in compliance with the mandates set forth in Act 120 of 2018, as enforced by the Commission's LSLR Regulations, to begin addressing the public health concerns associated with lead service lines by efficiently and comprehensively replacing all remaining Company-owned and customer-owned LSLs within its system.

49. The proposed Settlement provides a reasonable resolution of the proceeding in a manner that enhances the Company's proposed LSLR Program. This Settlement was achieved by the Joint Petitioners after an investigation of the Company's LSLR Petition, including informal discovery, and exhaustive settlement negotiations. The Joint Petitioners in this proceeding had different views on the issues in this proceeding. The Joint Petitioners were able to reach a balanced compromise on the issues addressed by the Settlement.

50. The Settlement also comprehensively addresses recommendations made by the OCA in its Answer to the Company's LSLR Petition, which collectively will enhance the Company's proposed LSLR Program.

51. The unanimous Settlement of all issues is consistent with the Commission's policy promoting negotiated settlements. The Settlement constitutes reasonably negotiated compromises on the issues addressed. Thus, the Settlement is consistent with the Commission's rules and practices encouraging settlements, 52 Pa. Code §§ 5.231, 69.391, 69.401-69.406, and is supported by a substantial record.

52. Acceptance of the Settlement will also avoid the necessity of further administrative, and possibly appellate, proceedings regarding the settled issues at what would have been a substantial cost to the Joint Petitioners.

53. The Joint Petitioners have submitted, along with this Settlement, their respective Statements in Support setting forth the basis upon which each believes the Settlement to be fair, just, and reasonable and, therefore, in the public interest. The Joint Petitioners' Statements in Support are attached hereto as **Exhibit 5 – Exhibit 7**.

## V. CONCLUSION

WHEREFORE, Columbia Water Company, the Office of Consumer Advocate, and the Office of Small Business Advocate, by their respective counsel, respectfully request:

1. That the Honorable Administrative Law Judges Mary D. Long and Charece Z. Collins recommend approval of, and the Commission approve, (1) the Joint Petition for Approval of Unanimous Settlement of All Issues as set forth herein, including all terms and conditions, without modification, and find that the terms of the Settlement are in accordance with the law and are in the public interest, (2) Columbia Water's Petition for Approval of a Lead Service Line Replacement Program, Related Tariff Changes, Modification of Long-Term Infrastructure Improvement Plan, and Waiver of Termination Regulations, as modified by the Settlement, (3) Columbia Water's Lead Service Line Replacement Plan, as modified by the Settlement, (4) and Columbia Water's Modified Long-Term Infrastructure Improvement Plan.

2. That Columbia Water be directed to submit a compliance tariff to the Commission consistent with the LSLR Tariff Supplement, as modified by this Settlement, effective after one day's notice.

3. That the Commission issue any other approvals or certificates appropriate, customary, or necessary under the Pennsylvania Public Utility Code for Columbia Water to carry out the lead service line replacement program contemplated in the Petition in a lawful manner.

*(signatures on the following page)*

Respectfully submitted,

/s/Phillip D. Demanchick Jr.

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Dated: July 31, 2024

# **Exhibit 1**

PROPOSED CONCLUSIONS OF LAW  
AND ORDERING PARAGRAPHS

**CONCLUSIONS OF LAW**

1. The Pennsylvania Public Utility Commission (“Commission”) has jurisdiction over the subject matter of, and the parties to, this proceeding. 66 Pa. C.S. § 1311(b)(2); 52 Pa. Code § 65.54.

2. Columbia Water Company (“Columbia Water” or the “Company”) has the burden of proof in this proceeding. 66 Pa. C.S. § 332(a).

3. Pursuant to 52 Pa. Code § 65.55(b), a lead service line replacement program must include:

a. A lead service line replacement plan as described in 52 Pa. Code § 65.56 (relating to lead service line replacement plan requirements);

b. A pro forma tariff or tariff supplement containing the proposed changes necessary to implement the entity's lead service line replacement program as described in 52 Pa. Code § 65.58 (relating to proforma tariff or tariff supplement requirements); and

c. Information required by the Commission for filings under 66 Pa. C.S. § 1308 (relating to voluntary changes in rates), including statements required by § 53.52(a) (relating to applicability; public utilities other than canal, turnpike, tunnel, bridge and wharf companies).

4. An entity with a Commission-approved long-term infrastructure improvement plan ("LTIIP") shall include with its lead service line replacement program petition a modified LTIIP containing a lead service line replacement plan as a separate and distinct component of the LTIIP. 52 Pa. Code § 65.54(b).

5. A lead service line replacement plan must include a service line inventory, a planning and replacements section, and a communications, outreach and education section. 52 Pa. Code § 65.56 (relating to lead service line replacement plan requirements).

6. Pursuant to 52 Pa. Code § 65.58 (relating to pro forma tariff or tariff supplement requirements), a pro forma tariff or tariff supplement must contain proposed changes necessary to implement the entity's lead service line replacement program, including, at a minimum:

- a. A lead service line program annual cap;
- b. A service line demarcation;
- c. Provisions concerning partial lead service lines;
- d. Provisions concerning reimbursements; and
- e. Provisions concerning a warranty.

7. 52 Pa. Code § 65.57 requires that, after initial Commission-approval of an entity's lead service line replacement plan, the entity update the plan for Commission review at least once every five years. To the extent possible, the Commission will coordinate the review of the updated lead service line review plan with the periodic review of the entity's LTIIP.

8. 52 Pa. Code § 65.59 requires an entity with an approved lead service line replacement program to file with the Commission a lead service line replacement program report by March 1 of each year. If the entity is implementing the lead service line as part of its Commission-approved LTIIP, the entity is to include the lead service line replacement program report as part of the entity's annual asset optimization plan.

9. The Commission may waive its regulations if waiver is in the public interest under the Commission's statutory authority to rescind or modify regulations or orders. *Duquesne Light Petition for Waiver of the Three Business Day Switching Requirements Under 52 Pa. Code § 57.174*, Docket No. P-2014-2448863, at p.8 (Order entered Dec. 4, 2014) (citing 66 Pa. C.S. § 501(a)).

10. 52 Pa. Code § 5.43(a) requires that a petition to the Commission for waiver of regulations must set forth clearly and concisely the interest of the petitioner in the subject matter, the specific regulation, amendment, waiver or repeal requested, and cite by appropriate reference the statutory provision or other authority involved. The petition must set forth the purpose of, and the facts claimed to constitute the grounds requiring the regulation, amendment, waiver or repeal. 52 Pa. Code § 5.43(b).

11. Commission policy promotes settlements. 52 Pa. Code § 5.231.

12. A settlement lessens the time and expense that the parties must expend litigating a case and, at the same time, conserves precious administrative resources. The Commission has indicated that settlement results are often preferable to those achieved at the conclusion of a fully-litigated proceeding. 52 Pa. Code § 69.401.

13. In order to accept a settlement, the Commission must determine that the proposed terms and conditions are in the public interest. *Pa. Pub. Util. Comm'n, Bureau of Investigation and Enforcement v. Duquesne Light Co.*, Docket No. M-2023-3037937, 2023 WL 8714883, at \*5 (Opinion and Order entered Dec. 7, 2023), *Pa. Pub. Util. Comm'n v. C.S. Water & Sewer Assocs.*, Docket No. R-881147, *et al.*, 1991 WL 476335 (Opinion and Order entered Jul. 22, 1991). In addition, the Commission has held that parties to settled cases are afforded flexibility in reaching amicable resolutions, so long as the settlement is in the public interest. *Pa. Pub. Util. Comm'n v. MXenergy Electric Inc.*, Docket No. M-2012-2201861 (Opinion and Order entered Dec. 5, 2013), at 8 (available at <https://www.puc.pa.gov/pcdocs/1260059.docx>).

14. The settlement and its proposed terms and conditions are in the public interest.

15. The Company's Lead Service Line Replacement Plan, as modified in response to data requests issued by the Commission's Bureau of Technical Utility Services ("TUS") and as

further modified by the Settlement (as amended, “LSLR Plan”), which includes, *inter alia*, an initial lead service inventory, a planning and replacement section, and a communications and outreach plan, complies with 52 Pa. Code § 65.56.

16. The Company’s Pro Forma Tariff Supplement, as modified in response to data requests issued by TUS and as further modified by the Settlement (as amended, “LSLR Tariff Supplement”), which includes provisions addressing an annual cap for the replacement of customer-owned lead service lines, service line demarcation, partial lead service line replacements, reimbursements, and warranties, complies with 52 Pa. Code § 65.58.

17. The Company’s Modified Long-Term Infrastructure Improvement Plan, as modified in response to data requests issued by TUS (as amended, “Modified LTIIIP”), which incorporates the LSLR Plan as a separate and distinct component of the LTIIIP, complies with 52 Pa. Code § 65.54(b).

18. The Modified LTIIIP further complies with the requirements set forth in 52 Pa. Code Chapter 121, 52 Pa. Code §§ 121.1, *et seq.*

19. The Company’s proposed waiver of 52 Pa. Code §§ 55.2, 56.91, 56.92, 56.93, 56.94, 56.95, 56.96, 56.97(a)(3)-(4) and (b), 56.100, 56.111, 56.112, 56.114, 56.140, 56.141, 56.151, 56.331, 56.332, 56.333, 56.334, 56.335, 56.336, 56.337(a)(3)-(4) and (b), 56.340, 56.351, 56.352, 56.354, 56.371, 56.372, and 56.381 is in the public interest because the Company’s expedited termination process will allow the Company to quickly and concisely address any issues with customers or property owners refusing lead service line replacements or where there is evidence that a customer is being served by a partial lead service line installed after July 23, 2022.

**ORDERING PARAGRAPHS**

1. That the Joint Petition for Unanimous Settlement of All Issues (“Settlement”) be approved as submitted, including all terms and conditions thereof, without modification.

2. That Columbia Water Company’s (“Columbia Water”) Lead Service Line Replacement Plan, as modified in response to data requests issued by the Commission’s Bureau of Technical Utility Services (“TUS”) and as further modified by the Settlement (as amended, “LSLR Plan”), be approved.

3. That Columbia Water’s Modified Long-Term Infrastructure Improvement Plan, as modified in response to data requests issued by TUS (as amended, “Modified LTIP”), be approved.

4. That Columbia Water is directed to submit a compliance tariff to the Commission consistent with the Pro Forma Tariff Supplement, as modified in response to data requests issued by TUS and as further modified by the Settlement (as amended, “LSLR Tariff Supplement”), effective after one day’s notice.

5. That Columbia Water’s proposed waiver of 52 Pa. Code §§ 55.2, 56.91, 56.92, 56.93, 56.94, 56.95, 56.96, 56.97(a)(3)-(4) and (b), 56.100, 56.111, 56.112, 56.114, 56.140, 56.141, 56.151, 56.331, 56.332, 56.333, 56.334, 56.335, 56.336, 56.337(a)(3)-(4) and (b), 56.340, 56.351, 56.352, 56.354, 56.371, 56.372, and 56.381 for purposes of terminating service as a result of a partial lead service line replacement or refusal of a lead service line replacement is hereby granted.

6. That the Commission issue any other approvals or certificates appropriate, customary, or necessary under the Pennsylvania Public Utility Code for Columbia Water to carry out the lead service line replacement program contemplated in the Petition in a lawful manner.

## **Exhibit 2**

LEAD SERVICE LINE REPLACEMENT PLAN

# COLUMBIA WATER COMPANY LEAD SERVICE LINE REPLACEMENT PLAN

## Definitions

Refer to the tariff for definitions.

## 1.0 – SERVICE LINE INVENTORY

Columbia Water Company (“CWC”) has prepared its Service Line Inventory. It complies with the current United States Environmental Protection Agency (“USEPA”) and Pennsylvania Department of Environmental Protection (“PADEP”) guidelines. The Service Line Inventory will be updated at a minimum annually, or as additional information becomes available. If CWC purchases any water distribution system in the future, the Service Line Inventory will be updated to include the acquired system’s information and meet the deadlines set forth by the Public Utility Commission (“PUC”).

The Service Line Inventory will comply with the timing and direction of the USEPA regulations as enforced by the PADEP, inclusive of future changes to those regulations as may be amended from time to time. The Service Line Inventory for CWC identifies material types on both the company owned and customer owned sides of the service lines. It can be sorted by material type. All discovered lead components have been detailed.

CWC plans to identify, at a minimum, a cumulative average of 10.0% of the initial unknown service materials annually by means of utilizing existing records, modeling, statistical analysis, and mechanical excavation. There are no assumed service line materials in the Service Line Inventory.

See appendix L for the Service Line Inventory Legend and Instructions.

### Incorporating the Inventory into the GIS System

CWC is in the process of incorporating the Service Line Inventory into its GIS system. Once the Service Line Inventory is on the GIS, the Service Line Inventory can be updated in real time.

## 2.0 – PLANNING AND REPLACEMENTS

### Annual Projections

CWC ~~plans to~~ estimates it can replace up to approximately 50 lead service lines per year, including 25 Company-owned lead service lines and 25 Customer-owned lead service lines. This projection was determined by estimating the total number of lead service lines to be less than 400. After all existing records have been inventoried, CWC will review this annual projection and adjust it as

necessary. The ~~projected~~ annual ~~investment~~ ~~incap~~ for customer-owned lead service line replacements (“LSLR”) is ~~\$25025 customer-owned lead service lines or \$125,000, whichever is less.~~

#### Replacing Lead Service Lines in Conjunction with Old Main Replacements

These replacements will be planned. Record-reviews of old age mains within the oldest parts of the distribution system will be analyzed to determine which water mains in the distribution system should be replaced. Prior to choosing a target area, our distribution crew will review records and/or physically inspect a portion of the service lines within a proposed area to gauge the likelihood of lead within that area. Coordination with municipalities will take place to minimize costs and minimize impacts on roads and neighborhoods.

Once the ~~targeted areas~~ LSLR Project Areas are determined, the projects will be posted on the CWC website at least 6 months in advance of the work being done. Prior to the work being initiated, CWC staff will contact customers within an LSLR Project Area at least two times over the six-month period once an LSLR Project Area has been identified, or until the customer responds to the Company, whichever is sooner, to determine whether there are customer-owned lead service lines and to verify the presence of the customer-owned lead service lines. Customers will initially receive a phone call to set up an appointment for an interior inspection of the service line. Door hangers and/or a mailed letter explaining the health effects of lead and documentation explaining the service line program will be used if the customer cannot be contacted via telephone. ~~reach out to the customers to determine all service line material within the affected area, and to provide the customers with detailed information regarding the routine procedures and the potential health risks involved.~~

#### Replacing Lead Service Lines Discovered by Mechanical Excavation

Areas with a higher likelihood of having lead service lines will be prioritized for these projects. CWC will physically excavate the service lines to determine material types. If a service line is determined to be lead, coordination will occur with the customer(s) and the property owner to have the service line replaced.

#### Replacing Customer-Owned Lead Service Lines Discovered Inside the Building

CWC will reach out to the customers with lead or unknown service lines. These customers will receive documentation describing the health effects related to lead. See appendix A for this information. They will be provided with information explaining how to determine their own service line material and what to do if they believe their service line material is lead; See appendix B for related documentation. CWC staff will be checking and documenting service line material in conjunction with meter changes. Customers who discover a lead service line may call and schedule to have their service line replaced. CWC will schedule to replace customer-owned lead service lines in accordance with the tariff. If the company side is lead, it will be replaced at the same time with the customer side. These replacements will occur as discovered.

## Emergency Replacements

If a lead service line is leaking or otherwise defective at the time it is discovered, CWC will replace the lead service line in accordance with the tariff. The distribution staff will maintain the proper equipment and tools necessary for emergency service line replacements. If a lead service line is discovered during an emergency but isn't leaking, the replacement of the line will be scheduled for replacement at a later date.

## Prioritization of Lead Service Line Replacements

Determination of LSLR projects will be prioritized based on targeted sensitive populations as defined by the USEPA and PADEP, which includes areas with elevated levels of lead in tap water, areas with high concentrations of lead service lines, and/or areas of the distribution system which have elevated corrosion rates. These areas are more specifically found on houses built prior to 1950 with water mains older than 1970 within Columbia Borough or Marietta Borough.

A list of sensitive populations has also been developed to determine the service line materials. The list includes schools, nursing homes, large apartment buildings, churches, and industries. These service lines have been or will be detailed as sensitive populations in the Service Line Inventory. Homes with multiple meters and multiple family residents will also be prioritized to determine service line material.

## Disposal of Lead

Lead removed from any project will be disposed of at an appropriate facility to ensure proper disposal of all lead. Scrap receipts will be kept on file. The proceeds from the recycling efforts will be added to our operating revenue. The customer will not have any right to the proceeds of a recycled lead service line.

## Coordination with the Property Owner and Customer(s)

When a lead service line is discovered at a property, CWC will contact the customer(s) and property owner to let them know of the discovery. Customers will be given information explaining the health effects of lead and what they should do to prevent lead in their water. See appendix A for the documentation.

CWC staff will then let the customer(s) and property owner know how to schedule to have their service line replaced and when the scheduled replacement is to occur.

Prior to replacing the property-owner's portion of a lead service line, an agreement between CWC and the property-owner, or representative of the property-owner, must be signed ("Property Owner Agreement"). See appendix C. These forms will be kept on file.

When the customer-owned LSL crosses one (or more than one) property to access another, the Company will attempt to obtain approval from all property owners to allow the work necessary to replace the Customer-Owned LSL and evaluate solutions available to install conforming service lines. If the Company is unable to obtain the neighboring property owner or owners' consent, and

there is no other viable and economic solution (to be determined in the Company's sole discretion) such as installing conforming service lines, the Company will commence procedures to terminate service to the neighboring property owner or owners' property as set forth in the following section of this LSLR Plan.

### Refusal of Lead Service Line Replacement

If a customer or property owner refuses to grant permission to CWC to replace the lead service line or refuses to have it replaced, Columbia Water will (1) 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, see Appendix A of the LSLR Plan, (2) 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 (3) communicate to the customer and property owner, if the customer is not the property owner, that failure to allow Columbia Water to complete the LSLR or to replace the customer-owned LSL concurrent with the replacing the Company-owned LSL will lead to termination of water service under the provisions of Columbia Water's tariff.

If the customer or property owner, if the customer is not the property owner, still refuses replacement of the customer-owned LSL, the Company will require the customer or property owner, if the customer is not the property owner, to sign a form documenting their refusal. See Appendix N of the LSLR Plan. If the customer or property owner refuses or fails to sign the refusal form, the Company will make a record of and document the customer's refusal.

The Company will then schedule to replace its portion of the Company-owned LSL and notify the customer in writing of the partial LSLR no later than ten days prior to the scheduled replacement and terminate water service at that location the day prior to replacing the Company-owned LSL. Columbia Water will not connect an Applicant to water service where a property owner previously refused or failed to accept the utility's offer of a LSLR until the Applicant verifies that the replacement of a customer-owned LSL by providing a paid invoice from a licensed contractor or notarized statement from a licensed contractor attesting to completion of the LSLR.

[The Company will offer a new customer applying for water service in a household that previously refused a LSLR replacement the option to have CWC replace the customer portion of the LSL to reestablish service. Prior to offering the applicant an LSLR, the Company will verify that the applicant owns or will own the property for which service is requested.](#)

### Non-Owner Occupied Premises

The Company may stand in the shoes of the property owner and is authorized to replace a Customer-Owned LSL when (1) the Company has offered to replace at no direct cost to the property owner a Customer-Owned LSL, (2) the property is not occupied by the legal owner of the property, and (3) the Company has made attempts to obtain authorization for the Customer LSLR pursuant to this Tariff and the LSLR Plan and (a) the legal owner cannot be identified, (b)

the legal owner cannot be located, or (c) the Company has notified the legal owner but the owner has never responded.

In such instances, and when, in the sole discretion of the Company, replacing the customer-owned LSL and preventing the termination of water service would be reasonable and in the public interest, the Company may proceed to make the replacement without obtaining authorization from the property owner. In any such instance of replacement, the Company, and any person associated with the Company, including but not limited to employees, agents, board members and executives, are released and held harmless from any and all claims, causes of action, damages or losses, of any nature, whatsoever with respect to the work performed by the Company or its contractors, and shall not be otherwise liable for any claim asserted by any person, including the property owner, as a result of the LSLR except to the extent otherwise authorized by the Company's Tariff.

If, prior to completing the LSLR, a property owner expressly, in writing, refuses to allow the replacement of the customer-owned LSL, the Company will not proceed with the replacement and will proceed with termination procedures as specified in the above section of the LSLR Plan. The Company also retains discretion to refuse to replace a customer-owned LSL in circumstances where the Company's employees or contractors may be placed in a dangerous situation in attempting to do the replacement.

#### Warranty

Upon completion of an LSLR by the Company or a contractor at the Company's request, a Completion-Agreement Form must be signed by the CWC and the property-owner, or representative of the property-owner. See appendix D. From the date of the Completion Agreement Form, the Company will provide a two-year warranty for materials and workmanship of the replaced customer-owned portion of the Service Line. This warranty shall cover repairs conducted by the Company or a contractor at the Company's request of the replaced customer-owned portion of the Service Line up to \$2,500 per customer, including restoration of surfaces consistent with this LSLR Plan, so long as the customer allows access to the property for repairs. Only material defects and incomplete installation methods are covered by the warranty. The warranty does not cover, among other things, damage caused by natural disasters, acts of God, fires, terrorism, excavation activities, acts of sabotage, or deliberate damage. The Company shall have no liability for any damages not covered by the warranty.

#### LSLR Routine Procedure and Restoration

Columbia Water intends to replace LSLs using existing routes through a combination of pipe splitting and/or pipe pulling. This approach removes or displaces existing pipe while simultaneously replacing it with a new pipe and is the preferred method under normal circumstances. Columbia Water may also utilize guided boring to install new pipe along a different route or using open trench excavation to remove replace the pipe. The appropriate replacement technique will depend on a combination of many site-specific characteristics, including, but not limited to, time constraints, soil characteristics, depth to ground water or rock, depth of road foundation, condition of the service line, proximity of other utility services (e.g., electric, gas,

cable, sewer, storm water), site conditions (e.g., access, parking, paving, landscaping, overhead obstructions), pipe conditions (e.g., length of pipe, pipe diameter and wall thickness, bury depth, configuration, and repair history, and conditions inside the home like a finished basement with limited access to the water meter and plumbing. All new pipe installation will be copper or plastic.

See also appendix E for the LSLR Routine Procedures. These procedures will be publicly available at the main office and on the CWC website. CWC will restore roadways and public sidewalks, backfill any trenches excavated as part of the replacement process and will fill and seal any wall or floor penetrations in the private home. No other restoration will be conducted for Lead Service Line Replacements. The Company will not replace any landscaping, interior finishes, paving, seeding, or walkways. All restoration costs shall be borne by the Customer or property owner, if the Customer is not the property owner.

### Risk Mitigation Measures

All customers and property owners with an LSLR will receive documentation prior to work being initiated explaining the health effects of lead and information on flushing their interior plumbing. See appendix F for this documentation. The Company will provide customer(s) affected by an LSLR with a pitcher filter, six months of replacement cartridges, and use instructions approximately thirty days prior to the scheduled LSLR, but no later than the day of the LSLR. The affected customer(s) will be provided a pitcher filter hand delivered by the Company. If there isn't a customer home at the time of delivery, the Company will use a door hanger indicating how a pitcher can be obtained. A follow-up phone call will also be made to the customer to determine whether they received the door hanger and that they should either pick their pitcher filter up at our main office of 220 Locust St, Columbia PA 17512, or schedule to have someone deliver the pitcher prior to the LSLR. Customers will be given a pitcher filter prior to the LSLR. Instructions on how to use the pitcher filter are provided. If a customer cannot be contacted prior to the LSLR, a note will be placed in an area notifying the customer to collect, or have delivered, a pitcher filter. See appendix G for this document. If the affected service line serves more than one residence, such as a multi-unit building or a non-residential unit, CWC will provide the documentation and pitcher-filter to every unit in the building.

### Flushing

CWC will assist customers with the flushing of the customer's interior plumbing after an LSLR. Information on flushing is in the LSLR Information document (appendix B), which is provided to all customers that have an LSLR. A detailed description of how to flush will also be found on the CWC website. See appendix H for the link.

### Sampling

CWC will be offering to collect water samples for all customers who have an LSLR. If the customer wants their water sampled, CWC will provide the customer with sampling procedures and bottles to collect one set of follow-up first draw and 5<sup>th</sup> liter tap samples. See appendix I for the LSLR sampling procedures. The sampling will be scheduled with the customer and will be

collected between three to six months after completion of the LSLR. If either of the follow up samples exceed 15 ppb of lead, CWC will provide the results of both samples to residents as soon as practicable but no later than three calendar days after becoming aware of the results. If none of the follow up samples exceed 15 ppb of lead, CWC shall provide the results of the samples to residents within 30 days after receiving the results. Accompanying information from CWC includes an explanation of the effects of lead, a list of steps consumers can take to reduce exposure to lead in drinking water, contact information for CWC, and the maximum contaminant level goal and the action level for lead, as well as the definitions for these two terms. The follow-up sample results, and accompanying information will be delivered to the customer through one of the following methods – electronically, mail, phone, hand delivered, or another method approved by PADEP. See appendix J for the documentation to be provided to the customer. If the offer to follow-up sample is not accepted by the customer, no sample will be collected, and the decline of sampling will be documented.

### Reimbursement

No later than 30 days after LSLR Project Commencement, the Company will mail Appendix M and a letter detailing eligibility for an LSLR reimbursement and instructions on how to obtain the reimbursement to customers within the LSLR Project Area. Any handout necessary for a customer or owner to receive reimbursement shall be mailed physically and electronically mailed to customers and owners, along with the forms remaining available on the company's website, on a reasonable best-efforts basis where the Company has the customer or property owner's email address.

If an eligible customer chooses to use their own contractor to replace the customer-owned service line, CWC shall reimburse the customer for the replacement cost of the customer-owned lead service line. See appendix M for the Reimbursement Form. ~~This form will be available at the CWC Office or on the CWC Web site.~~ Customers are to use this as a guide for determining eligibility for reimbursement, and ensuring they have the correct documentation for reimbursement. For every lead service line replaced, an LSLR Cost form will be completed. See appendix K for the LSLR Cost Form. CWC will use these completed forms to establish the reimbursement amount for the customers who choose to use their own contractors. We will reimburse the customers in a manner that is consistent with our tariff and PUC guidelines.

### Financial Considerations and Funding

CWC's annual budget will include costs relating to LSLR. Budget considerations include the cost for any outreach costs, funds for customer sampling following LSLR, costs of pitchers and replacements, additional staffing, the costs of the materials, and any additional costs that may be incurred.

The cost incurred by CWC for LSLRs will be funded with a combination of commercial loans, cash from operations, and/or PennVEST loans.

## Annual Reporting

When an LSLR is completed, the service address, the length of the lead removed, the pipe diameter, and the actual cost will be documented. See appendix K for this document. This information will be compiled annually for the LSLR Program Report.

## Website Information, Links, and Documentation

CWC will add lead service line documentation to its website within 1 year of PUC approval. A tab will be created on the website's main page, which will link a user to a specific page about lead service lines. Appendix's A, B, F, H, and M will be made available on the website through links. These documents provide information about LSLR routine procedures, flushing, determining service line material, and the health effects associated with lead.

The website will include information about upcoming LSLR projects. Projected main replacement projects will be posted on the LSLR webpage and provide customers with specific information of when LSLR projects will occur.

A secure, online interactive map will be provided for customers to have the ability to determine if a lead service line may exist at their location. A method will be provided to allow a customer to request assistance in determining if their service line is a lead service line.

The web page will include information regarding the reimbursement requirements and instructions for customers to determine their ability for reimbursement of a previous LSLR. CWC will explore options for providing an online tool for customers to determine their eligibility for reimbursement.

[The Company's LSLR website and all documentation regarding LSLRs will be available in both English and Spanish and, upon request, the Company will provide any/all documentation regarding LSLRs in other languages to customers directly. The Company will also make its translation services available to customers who call the Company's customer service and request translation of the written information into other languages.](#)

Any community outreach programs or coordination efforts will be posted on the website.

## List of Appendices:

- A. Brochure Lead Information
- B. How to Check Your Service Line Material
- C. LSLR Property Agreement Form
- D. LSLR Completion Form
- E. LSLR Routine Procedure
- F. LSLR Information
- G. LSLR Pitcher Filter Card
- H. Flushing After your LSLR
- I. LSLR Sampling Procedures
- J. LSLR Sample Results Form
- K. LSLR Cost
- L. Service Line Inventory Legend and Instructions
- M. Reimbursement Form
- N. Refusal Form

## **Revised Appendix I**



# COLUMBIA WATER COMPANY

## Lead Service Line Replacement Sampling Procedure

**READ AND FOLLOW THESE SAMPLING INSTRUCTIONS CAREFULLY. THE RESULTS OF THE TESTS WILL NOT BE ACCURATE IF THE SAMPLING PROCEDURE ISN'T FOLLOWED CORRECTLY.**

Lead samples need to be collected after water has sat in your service line and interior plumbing for several hours (at least 6 hours). Because of this, it is recommended to sample first thing in the morning.

1. PRIOR TO RUNNING ANY WATER (including flushing your toilet) remove the aerator from your kitchen or bathroom sink.
2. Clear ample space on your counter top. You'll need enough space to fit all five bottles.
3. Place the bottles out on the counter in order - 1 through 5.
4. Remove the caps from all five bottles.
5. While holding bottle no. 1 under the faucet, turn on the cold water and begin filling the bottle.
6. Once the bottle is filled to the black fill line, keep the water running and simultaneously remove bottle no. 1 and put bottle no. 2 under the faucet.
7. Continue this process for bottles 3, 4, and 5 until all five bottles are filled.
8. Once all five bottles are filled, turn the water off and tighten the caps on the bottles.
9. Place the bottles into the provided box and fill out the bottom of this form.
10. Once the form is complete, put the form in the provided box.
11. Put the box in the designated bottle pick-up area at your residence.

### KEY THINGS TO REMEMBER THAT CAN EASILY BE FORGOTTEN

**Collect the samples after not running water for 6 hours.**

Remember to fill each bottle to the black fill line (not above nor below).

Let the water run continuously while filling all five bottles.

Use cold water.

#### TO BE COMPLETED BY RESIDENT

**Name (print):** \_\_\_\_\_

**Date and Time Water was Last Used:** \_\_\_\_\_

**Date and Time of Sampling:** \_\_\_\_\_

**Location of Sampling (i.e., kitchen sink/bathroom sink):** \_\_\_\_\_

**I have read the above directions and have taken the tap samples in accordance with these instructions.**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Columbia Water Company will contact you with the sample results. If a sample exceeds 15 ug/L of lead, notification will be no later than 3 calendar days of sample results. If a sample does not exceed 15 ug/L of lead, notification will be no later than 30 days of the sample results. Contact Taz Keyser at 717-449-0161 with any questions.

## **Revised Appendix L**

## INSTRUCTIONS FOR EXPORT OF USER DATA

**Introduction:** The Department has developed a procedure whereby a system with an extant service line inventory database may export their data in a specified format, then submit it to the Department for import into the Department's PA SLI spreadsheet.

Using this procedure yields numerous advantages for both the Department and the System:

- The user does not need to determine/report the Service Line Classification or Sampling Tier. This will be done automatically when the data are imported into the spreadsheet.
- The spreadsheet will also automatically determine if sufficient evidence has been provided for the SL Class determination of Non-Lead.
- The spreadsheet allows the user to take advantage of the built-in csv export function for purposes of uploading results to the Department via DWELR.
- Information submitted by the Systems will be consistent regardless of whether the data were entered directly into the PA SLI spreadsheet or imported, resulting in fewer data gaps and fact-checking for Department personnel. The System also benefits from reduced fact checking.

**Use:** The system must provide an export file in a format that is compatible with import into Excel, for example Excel spreadsheet or csv file.

- The export file must contain the fields noted below, in the same order, with blanks or nulls in empty fields to maintain the order.
- Not all fields require a response, but a blank or null must be used in non-responsive fields to maintain the correct order.
- The System is encouraged to submit test data before finalizing their export procedure to ensure that it is compatible with the Department's requirements for import.

**Procedure:** Once the System has completed their initial inventory and is ready to submit:

- Email the export file to [ra-padwis@pa.gov](mailto:ra-padwis@pa.gov). In the subject field include the PWSID number (only one PWSID per submission) and the words "for import into PA SLI".
- In the same email, also submit the cover form 3930-FM-BSDW0042b, available on e-Library. Instructions for completion of the cover form are also available on e-Library as document number 3930-FM-BSDW0042.
- In the body of the email, for Community Water Systems, indicate if  $\geq 20\%$  of the structures served are multi-family residences.
- Department staff will enter the cover form information, import the export file, and return the completed PA SLI spreadsheet to the System.

## INSTRUCTIONS FOR EXPORT OF USER DATA

- IMPORTANT NOTE: Errors may be identified during the import procedure. For example, duplicate addresses or insufficient evidence for a determination of Non-Lead.
- If errors are found, the spreadsheet to the System will NOT include the erroneous entries. The errors must be fixed by the System.
  - If there are only a few errors, those entries can be manually entered into the PA SLI spreadsheet by the System.
  - If there are many errors, it is suggested to make the corrections in the System's database and create another export file (preferably containing only the erroneous entries), then send the spreadsheet and corrected export file back to the Department for re-import.
- Once the completed, error-free spreadsheet is received by the System, follow the "create export" procedure for csv file export located on the "Introduction" tab of the completed PA SLI spreadsheet and upload via DWELR. Instructions for upload to DWELR will be provided once the interface is active.
  - Users must have a DWELR account to upload the SLI.
  - Users can upload the SLI with either an L or P DWELR account.
  - If the exported csv file is very large, another mechanism for upload may be necessary. This will be detailed in the instructions once the interface is active.

### **Required Fields:**

The user export file must contain 38 columns or fields in the following order. Headers may be included or not.

- Important: Note that the designation "optional" does not mean the field can be omitted, just that it is not required to have a response in that field. The export file must always have 38 fields.

### **Basic information:**

1. Service line classification {LEAVE EMPTY}
2. Sufficient evidence for determination of non-lead {LEAVE EMPTY}
3. LCRR sampling tier {LEAVE EMPTY}
4. {LEAVE EMPTY}
5. Unique service line ID (Required)
6. Record type (Required; Default answer = Initial)
7. Date replacement completed (Leave blank for initial inventory, used for updated inventory only)
8. Ownership type (Required)
9. Street address 1 (Required)
10. Street address 2 (Optional)

## INSTRUCTIONS FOR EXPORT OF USER DATA

11. City or township (Required)
12. Zip code (Required)
13. School? (Default answer = No)
14. Childcare facility? (Default answer = No)

### Questions related to System-Owned side (Leave blank if ownership type is Customer):

15. Material (Required)
16. Was material ever previously lead? (Default answer = Yes)
17. Lead pigtails, goosenecks or connectors present upstream? (Default answer = Yes)
18. Installation date range (Required)
19. Installation date specific (Optional)
20. Diameter in inches (Required)
21. Basis of material Classification 1 – Non-Field (Optional)
22. Basis of material classification 2 – Non-Field (Optional)
23. Basis of material classification 3 – Field (Optional)
24. Date of field verification (Required if 23 is answered)
25. Additional comments (Required if “other” is selected for 21, 22 or 23)

### Questions related to Customer-Owned side (Leave blank if ownership type is System):

26. Material (Required)
27. Lead pigtails, goosenecks or connectors present upstream? (Default answer = Yes)
28. Installation date range (Required)
29. Installation date specific (Optional)
30. Basis of material Classification 1 – Non-Field (Optional)
31. Basis of material classification 2 – Non-Field (Optional)
32. Basis of material classification 3 – Field (Optional)
33. Date of field verification (Required if 32 is answered)
34. Additional comments (Required if “other” is selected for 30, 31, or 32)

### Questions related to Sampling Tier:

35. Service line connected to: (Required)
36. POE treatment present? (Required)
37. Interior building plumbing contains lead solder? (Required)
38. Current LCR sampling site (Required)

### **Acceptable Responses (by field number listed above):**

- 1, 2, 3, 4. Leave these fields blank.
5. Response required in this field.
  - May contain up to 30 characters

**INSTRUCTIONS FOR EXPORT OF USER DATA**

- Can use letters and/or numbers in any combination
  - Use only uppercase letters; lowercase letters will be converted to uppercase
  - Can use hyphen (-), underscore (\_), period(.)
  - May not use spaces, commas or other special characters (i.e., \*, !, @, etc.)
6. Response required in this field. Acceptable responses are (I, U, A, D)
- Initial (I): Use this designation for the initial inventory submitted on or before October 16, 2024
  - Update (U): Use this designation when submitting an updated inventory, to indicate the record is being revised
    - If the update is due to a service line replacement, enter the replacement date in field 7
  - Add (A): Use this designation to add service lines to an existing inventory
  - Inactive (D): Use this designation to indicate a record is being inactivated. Records cannot be deleted.
    - Example: Property was made into a parking lot and the service line was decommissioned.
    - Add a text comment explaining the reason for inactivation in fields 25 and/or 34.
7. Field may be left blank.
- For the initial inventory this field **MUST** be blank.
  - Use MM/DD/YYYY format.
8. Response required in this field. Acceptable responses are (J, S, C)
- Joint (J)
  - System (S)
  - Customer (C)
- 9 - 12. Response required in this field.
- Each SLID must be associated with a unique address.
  - Duplicate addresses are not allowed.
  - For the zip code, use 5-digits (not 5 + 4).
13. Response required in this field. Acceptable responses are (N, YE, YS, YA).  
Default answer = N

## INSTRUCTIONS FOR EXPORT OF USER DATA

- A school (YA) is "any building associated with public, non-public/private, or charter institutions that primarily provides teaching and learning for elementary or secondary students."
  - An elementary school (YE) contains students in grades up to and including grade 8 (includes pre-school).
  - A secondary school (YS) contains students in grades no less than 9 and no greater than 12.
14. Response required in this field. Acceptable responses are (N, Y). Default answer = N
- A child care facility is "a location that houses a licensed provider of child care, day care, or early learning services to children as determined by the State licensing agency."
- 15 & 26. Response required in this field. Acceptable responses are (A, B, C, D, E, F, G, H, J, K, L, M, O, P, Q, R, S).
- Lead (A)
  - Lead-lined galvanized (B)
  - Galvanized (C)
  - Copper (D)
  - Cast iron – lined (E)
  - Cast iron - unlined (F)
  - HDPE - high density polyethylene (G)
  - PVC - polyvinyl chloride (H)
  - CPVC - chlorine treated PVC (J)
  - PEX - cross-linked polyethylene (K)
  - ABS - acrylonitrile butadiene styrene (L)
  - PB – polybutylene (M)
  - Asbestos cement (O)
  - Other non-lead material (P)
  - Unknown - Likely Lead (Q)
  - Unknown - Unlikely Lead (R)
  - Unknown (S)
- 16, 17 & 27. Response required in this field. Acceptable responses (Y, N, S).  
Default answer = Yes
- Yes (Y)
  - No (N)
  - Not sure (S)

## INSTRUCTIONS FOR EXPORT OF USER DATA

18 & 28. Response required in this field.

Acceptable responses are (A, B, C, D, E, F, G, H, J, K, L, M, O, P)

- Pre-1901 (A)
- 1901 – 1910 (B)
- 1911 – 1920 (C)
- 1921 – 1930 (D)
- 1931 – 1940 (E)
- 1941 – 1950 (F)
- 1951 – 1960 (G)
- 1961 – 1970 (H)
- 1971 – 1980 (J)
- 1981 – 1990 (K)
- 1991 – 2000 (L)
- 2001 – 2010 (M)
- 2011 – 2020 (O)
- 2021 – 2030 (P)

19 & 29. These fields may be left.

- Use these fields to enter more specific installation date information for the service line, if available.
- Can be entered in any format including text and partial dates.

20. Response required in this field.

- Enter the diameter in inches.
- Format as a number with 2 decimal places.

21, 22, 30 & 31. These fields may be left blank but will affect the determination of sufficient evidence for non-lead! Acceptable responses are (EMPTY, A, B, C, D).

- Records review (A)
- Modeling/statistical analysis (B)
- Water sampling (not allowed for systems with corrosion control treatment) (C)
- Other (must enter comments in fields 25 and/or 34) (D)

23 & 32. These fields may be left blank but will affect the determination of sufficient evidence for non-lead! Acceptable responses are (EMPTY, E, F, G, H, J, K, L).

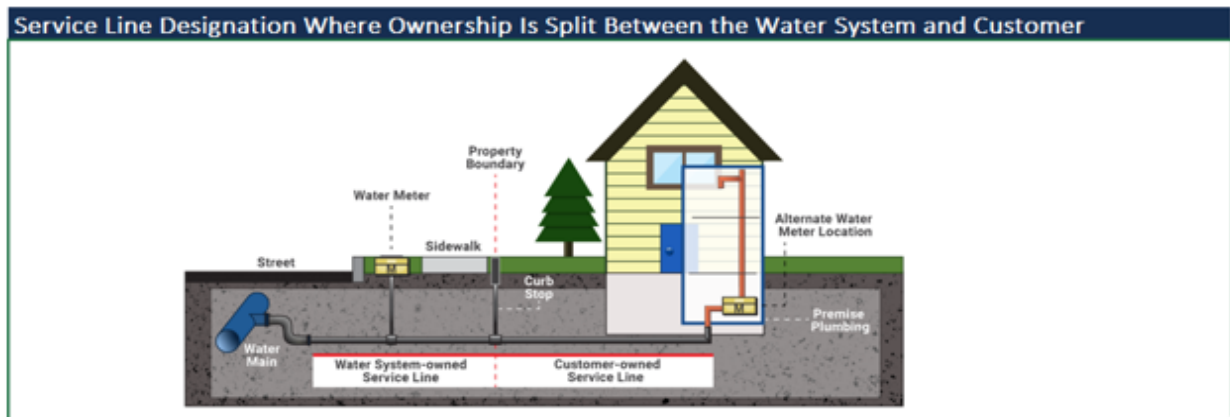
- Visual inspection at existing access point (E)
- CCTV inspection inside pipe, full length (F)
- CCTV inspection outside pipe, at curb box (G)
- Mechanical excavation, 1 location (H)

## INSTRUCTIONS FOR EXPORT OF USER DATA

- Mechanical excavation, 2 locations (J)
  - Mechanical excavation, 3+ locations (K)
  - Other (must enter comment in fields 25 and/or 34) (L)
- 24 & 33. Response required in this field IF fields 23 or 32 are not {EMPTY}. Otherwise this field may be left blank.
- Date must be entered in MM/DD/YYYY format
  - Date must be BEFORE than the initial inventory date recorded on the Cover Form (3930-FM-BSDW0042b)
- 25 & 34. Response required in this field IF responded “D” (other) in fields 21, 22, 30 or 31 OR responded “L” (other) in fields 23 or 32.
- Free form text field
  - Character limit = 250
35. Response required in this field. Acceptable responses are (S, M, O).
- Note: An error will occur if the CWS does not indicate whether  $\geq 20\%$  of structures served are multi-family residences.
    - Single family residence (S). One service line provides drinking water for one family.
    - Multi family residence (M). One service line provides drinking water for multiple families (e.g., apartment complex where there is only a single service line).
    - Building/Other (O). If the service line cannot be categorized as S or M, choose O.
- 36 & 37. Response required in these fields. Acceptable responses are (Y, N, S).  
Default answer = Not sure
- Yes (Y)
  - No (N)
  - Not sure (S)
38. This field may be left blank. Acceptable responses are ({EMPTY}, Y, N)

## INSTRUCTIONS FOR EXPORT OF USER DATA

### Determination of Service Line Classification



NOTE: The classification of a service line applies to the entire length of the service line, regardless of ownership.

System-Owned Portion		Customer-Owned Portion		Service Line Classification <sup>2,3,4,5</sup>
Material Type		Material Type		
Lead or lead-lined		Any material		Lead
Any material		Lead or lead-lined		Lead
Unknown		Any material but lead or lead-lined		Lead Status Unknown
Any material but lead or lead-lined		Unknown		Lead Status Unknown
Any material but lead, lead-lined, galvanized, or unknown		Any material but lead, lead-lined, galvanized, or unknown		Non-Lead <sup>1</sup>
System-Owned Portion		Customer-Owned Portion		
Lead Connector Upstream?	Material Type	Lead Connector Upstream?	Material Type	
No	Any material but lead, lead-lined, or unknown	No	Galvanized	Non-Lead
No	Galvanized	No	Any material but lead, lead-lined, or unknown	Non-Lead
No	Galvanized	No	Galvanized	Non-Lead
No	Not previously lead	No	Galvanized	Non-Lead
Yes or Not sure	Galvanized	Any response	Any material but lead, lead-lined or unknown	Galvanized Requiring Replacement
Yes or Not sure	Any material but lead, lead-lined or unknown	Any response	Galvanized	Galvanized Requiring Replacement
No	Any material but lead, lead-lined or unknown	Yes or Not sure	Galvanized	Galvanized Requiring Replacement
Any response	Previously lead or unsure if previously lead	Any response	Galvanized	Galvanized Requiring Replacement

<sup>1</sup>Any determination of Non-Lead is subject to review and approval by the Department.

<sup>2</sup>It is only necessary to replace the portions of the service line that are Lead or Galvanized Requiring Replacement.

<sup>3</sup>When both portions of the service line are Lead or Galvanized Requiring Replacement, both portions must be replaced at the same time. Partial replacements are not allowed.

<sup>4</sup>If either portion of the service line is classified as Lead Status Unknown, it must be replaced unless further investigation changes the classification to Non-Lead. The change in classification must be submitted to the Department in the Updated Inventory.

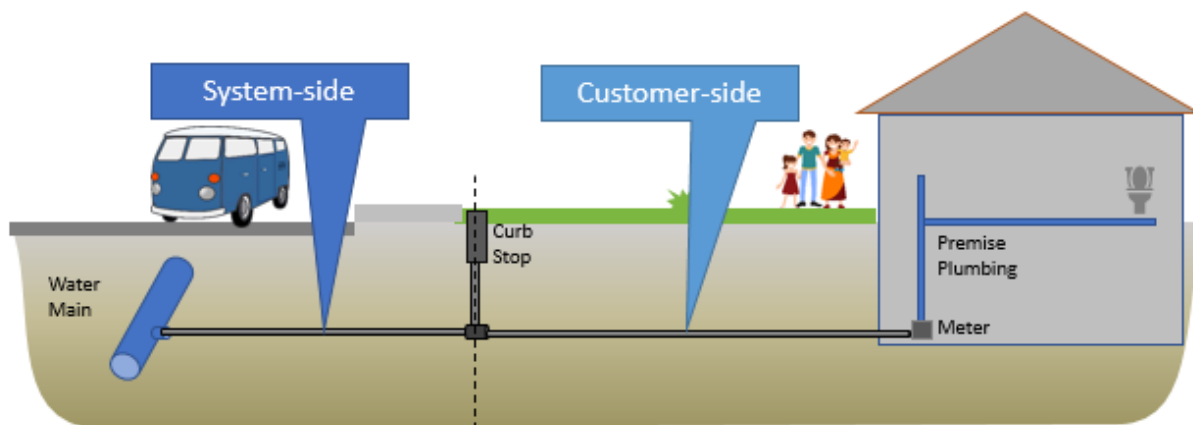
<sup>5</sup>The presence of lead connectors, goosenecks or pigtails is only relevant to the determination of Galvanized Requiring Replacement.

## INSTRUCTIONS FOR EXPORT OF USER DATA

### Evidence Required for Non-Lead Designation

To categorize pipe material as non-lead (e.g. copper), the water system is expected to show sufficient evidence through one of the “stand-alone” verification options, or a combination of 2 or more other methods as described below.

**Note:** For systems that own a portion of the service line, such as shown below, the pipe material for both the customer and system portions must be identified.



**“Stand-Alone” Records Method Options:** The following options do not need to be combined with another method to verify a pipe is non-lead:

- Records indicating service line installation/replacement date after January 6, 1991 (the effective date of the PA Lead Ban)
- OR-
- Record of a local ordinance prohibiting lead service line installation and water system records indicating service line installation/replacement after the ordinance effective date.

**Combination of Two (or more) Other Methods:** If water system records do not meet either of the stand-alone criteria above, the system may use any TWO other investigation techniques from the list below:

- Records review
- Modeling/Statistical analysis
- Water sampling (5<sup>th</sup> liter sampling, if system does not have corrosion control treatment)
- Field verification, options include\*:
  - Visual inspection at existing access point (This includes any access points in which the material type can clearly be determined, such as a meter pit, or the service line entry to the basement at the customer side)
  - CCTV inspection outside pipe – at curb box
  - Mechanical excavation at a location along each half of the service line (i.e. customer-side and system-side)

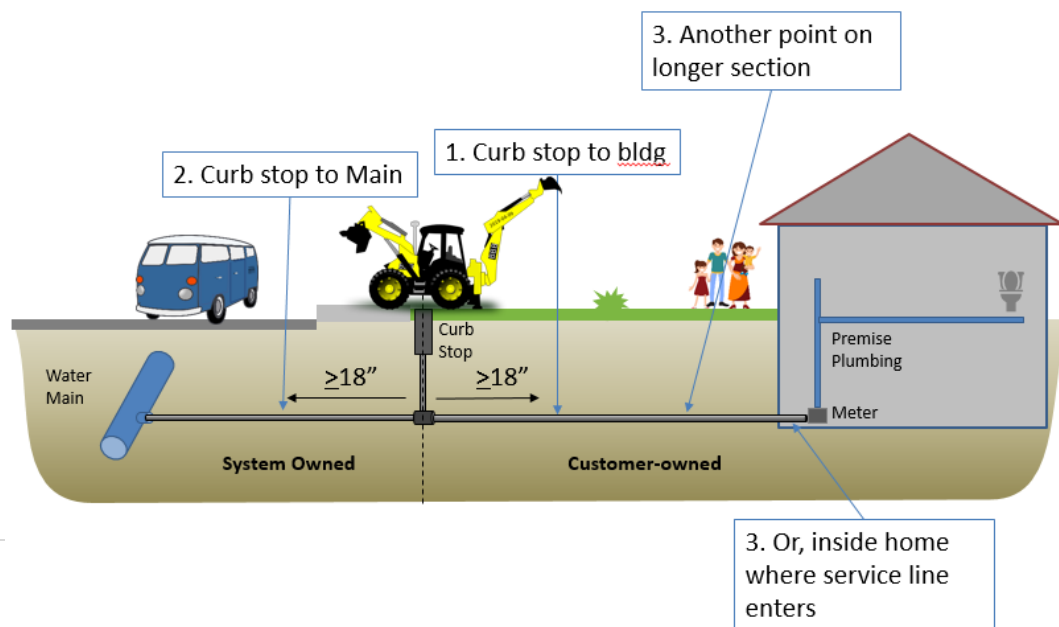
## INSTRUCTIONS FOR EXPORT OF USER DATA

\* **Representative Field Verification:** Note that if a system is verifying records using a field method, a statistically sound subset of service lines can be field verified, rather than every line. Systems should follow the procedure established in the [Michigan EGLE “Minimum Service Line Material Verification Requirements”](#) document. This method should only be used for a homogeneous area, such as a residential neighborhood in which the houses were built in the same time period.

- Other method reviewed by DEP

**“Stand-Alone” Field Method Options:** If a system does not have any records, then there are two stand-alone field method options. Use ONE of the following verification methods:

- Internal CCTV inspection over the full length of the service line
  - OR –
- Mechanical excavation in at least 3 locations over the length of the service line as follows (visual below):
  - Curb stop to building:
    - A minimum of 18 inches from the curb stop
    - Or, if the distance to the building is less than 18 inches, halfway to the building
  - Curb stop to water main:
    - A minimum of 18 inches from the curb stop
    - Or, if the distance to the water main is less than 18 inches, halfway to the main
  - Third point (choose one):
    - Inside the home where the service line enters (inspected by water system personnel, not customer)
    - A second excavation point in the longer section of service line that is at least halfway between the first point and the building or water main
  - Special note: If the system has sufficient evidence for one portion of a jointly-owned line, then only 2 mechanical excavation locations are required in the other portion of the service line.



## INSTRUCTIONS FOR EXPORT OF USER DATA

### Regulatory Q & A – Inventory Requirements of the LCRR

Question	Answer	Regulatory Citation(s)
<i>1. Who must prepare a service line inventory?</i>	All community water systems (CWSs) and non-transient non-community water systems (NTNCWSs).	40 CFR §141.84(a)
<i>2. What material classification should I use?</i>	Service lines must be classified as one of four types: <ul style="list-style-type: none"> <li>– Lead,</li> <li>– Galvanized Requiring Replacement (GRR),</li> <li>– Non-Lead, (specify the actual material such as copper or plastic), or</li> <li>– Lead Status Unknown.</li> </ul> Where the material is unknown, EPA recommends that systems use subclassifications to capture additional information (e.g., unknown - unlikely lead).	40 CFR §141.84(a)(4) & §109.706
<i>3. What if the service lines in my system are split ownership, meaning that my system owns a portion and the customer owns a portion?</i>	The inventory must include both the system-owned and customer-owned portions of the service line; however, systems must count each service line from the water main to the interior building plumbing only once for determining the number of service lines requiring replacement, assigning a tap sample tiering classification, and facilitating reporting of inventory information to the State and EPA. Refer to the "Class & Tier Info" section below for information on how to classify service lines that have split ownership.	40 CFR §§141.84(a)(2) & (a)(7)(i)
<i>4. What information should I use to identify service line material and prepare my inventory?</i>	You <b>must</b> use previous materials evaluation, construction and plumbing codes/records, water system records, distribution system inspections and records, information obtained through normal operations, and state-specified information to prepare your inventory. EPA recommends systems consider additional service line investigation methods such as visual inspection, water quality sampling, and excavation.	40 CFR §§141.84(a)(3) & (a)(5)
<i>5. When is the initial inventory due?</i>	October 16, 2024	40 CFR §141.80(a)(3) <sup>1</sup>
<i>6. What if I have no Lead, Galvanized Requiring Replacement (GRR), or Lead Status Unknown service lines?</i>	You have some different requirements that are explained in the answers to questions 7, 8, and 9.	N/A

## INSTRUCTIONS FOR EXPORT OF USER DATA

Question	Answer	Regulatory Citation(s)
<p>7. Do I need to update my inventory?</p>	<p><b><u>For systems with Lead, GRR, or Lead Status Unknown service lines</u></b>            The service line inventory should improve over time with better information. You <b>must submit inventory updates</b> to your state on the following frequency:            (1) Annually if you conduct lead tap sampling semi-annually or annually.            (2) Triennially (i.e., once every 3 years) if you conduct lead tap sampling triennially.</p> <p><b><u>For systems with only Non-Lead service lines</u></b>            You are not required to provide an update. However, if you subsequently find any Lead, Galvanized Requiring Replacement or Lead Status Unknown service lines, you <b>must</b> notify the State within 30 days and prepare an updated inventory on a schedule established by the State.</p>	<p>40 CFR            §141.90(e)(3)</p>
<p>8. Do I need to make my information publicly available?</p>	<p><b><u>For systems with Lead, GRR, or Lead Status Unknown service lines</u></b>            You must make the inventory publicly available and include a locational identifier for lead service lines and GRR. Water systems serving more than 50,000 people must provide inventories on-line.</p> <p><b><u>For systems with only Non-Lead service lines</u></b>            You can provide a written statement, in lieu of the inventory, that your distribution system has no lead or GRR service lines along with a general description of all applicable sources used to make that determination.</p>	<p>40 CFR            §§141.84(a)(8)            &amp; (a)(9)</p>
<p>9. Do I need to include a statement in my Consumer Confidence Report (CCR)?</p>	<p><b><u>For systems with Lead, GRR, or Lead Status Unknown service lines</u></b>            CWSs must indicate how the public can access the service line inventory information in their CCR.</p> <p><b><u>For systems with only Non-Lead service lines</u></b>            CWSs must include a statement that a service line inventory contains no lead service lines and instructions on how to access the information.</p>	<p>40 CFR            §141.153(d)(4)            (xi)</p>
<p>10. What information must the State report to EPA?</p>	<p>For each water system, the number of Lead, GRR, and Lead Status Unknown service lines in its distribution system, reported separately.</p>	<p>40 CFR            §142.15(c)(4)            (iii)(D)</p>

<sup>1</sup> On June 10, 2021, EPA signed a rule extending the compliance date from January 16, 2024 to October 16, 2024 (86 FR 31939).

# **Exhibit 3**

PRO FORMA TARIFF SUPPLEMENT

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COLUMBIA WATER COMPANY

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RATES, RULES, AND REGULATIONS GOVERNING  
THE DISTRIBUTION OF WATER IN WEST HEMPFIELD, RAPHO,  
EAST DONEGAL AND MANOR TOWNSHIPS AND  
THE BOROUGHS OF COLUMBIA AND MOUNTVILLE, AND MARIETTA  
LANCASTER COUNTY AND HELLAM TOWNSHIP, YORK COUNTY, PENNSYLVANIA

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Issued: \_\_\_\_\_, 202X

Effective: \_\_\_\_\_, 202X

By: David T. Lewis, President  
Columbia Water Company  
220 Locust Street  
Columbia, PA 17512

## **NOTICE**

THIS TARIFF SUPPLEMENT IMPLEMENTS THE COMPANY'S LEAD SERVICE LINE REPLACEMENT PROGRAM.

See Page Two

List of Changes Made by this Supplement

Change:

Tariff Supplement No. XXX implements the Company's Lead Service Line Replacement Program, which addresses the Company's efforts to replace company-owned and customer-owned Lead Service Lines. (C)

(C) Indicates Change

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Issued: \_\_\_\_\_, 202X

Effective: \_\_\_\_\_, 202X

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		65		(C)

(I) Indicates Increase (D) Indicates Decrease (C) Indicates Change

28. Lead Service Line (LSLR) Program

(C)

(1) Supersession

This section of the Company’s Tariff supersedes all other conflicting provisions of this Tariff for purposes of implementing the Company’s Lead Service Line Replacement Program.

(2) Definitions

Curb Stop: A water service shutoff valve located in a water service line near the curb or edge of the street and between the water main and the building.

Company-Owned LSL – Company-Owned Lead Service Line: The portion of the lead service line extending from the Company’s main to the Curb Stop.

Customer-Owned LSL – Customer-Owned Lead Service Line: The portion of the lead service line extending from the Curb Stop to the meter or one foot inside a building foundation, whichever is farther.

Galvanized Service Line: Iron or steel piping that has been dipped in zinc to prevent corrosion and rusting.

Company: Columbia Water Company.

Customer: A person or entity who is an owner or occupant and who contracts with the Company for water service.

Independent Legal Restrictions: Commission Regulations or Orders which otherwise prevent termination of water service at a property including but not limited to winter moratorium, medical certifications, or Commission directed moratoriums or suspensions.

LSL - Lead Service Line: A service line made of lead that connects the water main to a building inlet and a lead pigtail, gooseneck or other fitting that is connected to the lead line. A galvanized service line is considered a lead service line if it ever was or is currently downstream of any lead service line or service line of unknown material.

LSLR – Lead Service Line Replacement: A service line, whether Company-owned or customer-owned, installed to replace a lead service line.

LSLR Plan – Lead Service Line Replacement Plan: A plan and supporting documents submitted to and approved by the Commission that specify how the Company intends to implement its lead service line replacement program.

LSLR Project – Lead Service Line Replacement Project: A Company-scheduled lead service line replacement activity either in conjunction with main replacements or as part of a lead service line replacement plan.

(C) Indicates Change

28. Lead Service Line (LSLR) Program (Cont'd)

(2) Definitions (Cont'd)

LSLR Project Area – Lead Service Line Replacement Project Area: The area encompassing a Company's scheduled lead service line replacement activities, which includes the area within a 1-mile radius of a lead service line replacement project if served by the Company.

LSLR Project Commencement – Lead Service Line Replacement Project Commencement: Installation of the first lead service line replacement within a lead service line replacement project area.

Partial LSLR – Partial Lead Service Line Replacement: A lead service line replacement that does not replace both the Company-owned and customer-owned portions of a lead service line.

Property Owner Agreement: An agreement between the Company and a property owner for the replacement of a Customer-Owned LSL that allows the Company's employees and contractors to gain access to their private property in order to replace their customer-owned LSL prior to the initiation of any work by the Company to replace the customer-owned LSL

Service Line: The pipe and appurtenances which connect any main to the Company's water meter or, if the Company's water meter is located outside of the structure or the connection is not metered by the Company, at the first shutoff valve located within the interior of the structure.

Service Line Inventory: The process of identifying each service line under the timing and direction of 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.

Water Distribution System: The equipment and facilities owned or operated by the Company for diverting, developing, pumping, impounding, distributing or furnishing water to or for the public for compensation.

(3) LSLR Plan

Notwithstanding Rules in this Tariff relating to customer responsibility for customer service lines, the Company will replace Customer-Owned LSLs pursuant to its LSLR Plan (as approved at Docket No. P-2023-\_\_\_\_\_) and set forth in Section 9.0 to the Company's 5-Year Long-Term Infrastructure Improvement Plan approved at Docket No P-2023-\_\_\_\_\_, subject to an annual cap described below. The Company may modify its annual cap for Lead Service Line Replacements with Commission approval. The costs incurred by the Company to undertake remediation efforts pursuant to its Lead Service Line Replacement Plan shall be recoverable in the Company's Distribution System Improvement Charge, PENNVEST Surcharge, and in base rates, as applicable.

(C)

(C) Indicates Change

28. Lead Service Line (LSLR) Program (Cont'd)

(3) LSLR Plan (Cont'd)

The Company's Lead Service Line Replacement Plan is in effect until September 2028 and applies to any Lead Service Line (1) serving any customers of Columbia Water Company; (2) of which the Company is aware; (3) the replacement of which is operationally feasible; and (4) the Property Owner authorizes the replacement or replaces the line in accordance with Company policy or, the Company is otherwise authorized to replace the line in accordance with this Tariff.

(4) LSLR Annual Cap

The Company will cap LSLR Projects at ~~5025~~ Customer-Owned LSLRs or ~~\$250~~125,000, whichever is less, on an annual basis. If a Customer reimbursement provided pursuant to this Tariff or an emergency LSLR causes Columbia Water to exceed its annual cap, Columbia Water will increase its current annual cap by the number and cost of emergency repairs and/or reimbursements and decrease its annual cap by same for the following year only.

(5) LSLR Replacements

The Company will offer to replace Customer-Owned LSLs at no direct cost to the Customer or property owner, if the Customer is not the property owner: (i) at any residential or non-residential property where the Company replaces a Company-owned main connected to a Customer-Owned LSL; (ii) at any property where the Company replaces a Company-Owned LSL connected to a Customer-Owned LSL; and (iii) at any property with a private-side only LSL located within a LSLR Project Area where LSLRs are performed; and (iv) when the Company's operations crew replaces a Company-owned facility regardless of material, in emergencies, including line breaks, leaks, or other unplanned emergency replacements, that is or is connected to a LSL.

Except in the case of non-owner occupied properties at which the Company has exercised "stand in the shoes" rights, the Company shall enter into a Property Owner Agreement with the property owner for replacement of a Customer-Owned LSL that allows the Company's employees and contractors to gain access to their private property in order to replace their customer-owned LSL prior to the initiation of any work by the Company to replace the customer-owned LSL. The Property Owner Agreement shall be in a form provided by the Company and shall include provisions that require the Property Owner(s) to release and hold harmless the Company from any and all claims, causes of action, damages or losses, of any nature, whatsoever with respect to the work performed by the Company or its contractors.

(C) Indicates Change

(C)

28. Lead Service Line (LSLR) Program (Cont'd)

(6) Customer Refusal

Except as set forth below, if after being notified of the Company's offer to replace at no cost a Customer-Owned LSL, the property owner has not provided an executed Property Owner Agreement authorizing the replacement of the customer service line or has refused replacement, the Company will (1) 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, (2) 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 (3) communicate to the Customer and property owner, if the Customer is not the property owner, that failure to allow Columbia Water to complete the LSLR or to replace the Customer-Owned LSL concurrent with the replacing the Company-Owned LSL will lead to termination of water service prior to the Company replacing the Company-Owned LSL.

If the Customer or property owner, if the Customer is not the property owner, does not sign the Property Owner Agreement or still refuses replacement of the Customer-Owned LSL within ten days after Columbia undertakes the aforementioned steps, the Company will require the Customer or property owner, if the Customer is not the property owner, to sign a form documenting their refusal. If the Customer or property owner refuses or fails to sign the refusal form, the Company will make a record of and document the customer's refusal. The Company will then schedule to replace its portion of the Company-Owned LSL, ~~and~~The Company will notify the customer in writing of the partial LSLR no later than ten days prior to the scheduled replacement and that it will terminate water service at that location the day prior to replacing the Company-Owned LSL. The Company will post a termination notice at the customer property forty-eight (48) hours prior to termination. The Company will provide these notices to every resident that lives in a multi-residential building that is affected by a termination because of a LSLR refusal. The Company will then proceed with termination of water service to a location irrespective of whether Independent Legal Restrictions would otherwise delay or prohibit termination. Such notice and termination shall be deemed consistent with Chapter 14 of the Public Utility Code. Moreover, in these instances, the Company is not required to comply with termination procedures described in other portions of its tariff or the Commission's regulations.

At any time prior to completing termination, or, within ten days after termination, the property owner executes the Property Owner Agreement, water service will be restored to the property, provided that service will not be restored until either both the Company-Owned LSL and the Customer-Owned LSL have been replaced or, in the Company's sole discretion, an alternative, non-lead temporary bypass is installed.

Columbia Water will not connect an Applicant to water service where a property owner previously refused or failed to accept the utility's offer of a LSLR until the Applicant verifies that the replacement of a Customer-Owned LSL by providing a paid invoice

(C) Indicates Change

(C)

THE COLUMBIA WATER COMPANY

Canceling Fifteenth Revised Page No. 4

SCHEDULE OF RATES APPLICABLE TO COLUMBIA RATE DISTRICT

~~from a licensed contractor or notarized statement from a licensed contractor attesting to completion of the LSLR.~~

(I) Indicates Increase (C) Indicates Change

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Issued: March 7, 2018

Effective: March 8, 2018

28. Lead Service Line (LSLR) Program (Cont'd)

(6) Customer Refusal (Cont'd)

~~\_\_\_\_\_from a licensed contractor or notarized statement from a licensed contractor attesting to completion of the LSLR~~

(7) Customer Lead Service Line on Multiple Properties

When the Company is undertaking an LSLR Project and the Customer-Owned LSL crosses one (or more than one) property to access another, the Company will attempt to obtain approval from all property owners to allow the work necessary to replace the Customer-Owned LSL and evaluate solutions available to install conforming service lines.

If the Company is unable to obtain the neighboring property owner or owners' consent, and there is no other viable and economic solution (to be determined in the Company's sole discretion) such as installing conforming service lines, the Company will commence procedures to terminate service to the neighboring property owner or owners' property. The Company will complete or suspend the termination of the neighboring property owner's water service as set forth in section (6) above.

(8) Non-Owner Occupied Properties

The Company may stand in the shoes of the property owner and is authorized to replace a Customer-Owned LSL when:

- i. The Company has offered pursuant to its Tariff to replace at no direct cost to the property owner a Customer-Owned LSL;
- ii. The property is not occupied by the legal owner of the property; and
- iii. The Company has made attempts to obtain authorization for the Customer LSLR pursuant to this Tariff and the LSLR Plan and (a) the legal owner cannot be identified; (b) the legal owner cannot be located; or (c) the Company has notified the legal owner but the owner has never responded.

In such instances, and when, in the sole discretion of the Company, replacing the Customer-Owned LSL and preventing the termination of water service would be reasonable and in the public interest, the Company may provide the Customer with the option to execute a consent form for the LSL replacement and, upon execution of the Customer consent form, is authorized by this Tariff, which has the force and effect of law, to proceed to make the replacement without obtaining authorization from the property owner. The Company's replacement in this circumstance without the property owner's consent is in furtherance of the Company's duty pursuant to the Public Utility Code to provide safe and reasonable service and shall not constitute a violation of law or constitute any tort or other criminal or civil liability.

(C) Indicates Change

(C)

THE COLUMBIA WATER COMPANY

Canceling Fifteenth Revised Page No. 4

SCHEDULE OF RATES APPLICABLE TO COLUMBIA RATE DISTRICT

~~In any such instance of replacement, the Company, and any person associated with the Company, including but not limited to employees, agents, board members and executives, are released and held harmless from any and all claims, causes of action, damages or losses, of any nature, whatsoever with respect to the work performed by the Company or its contractors, and shall not be otherwise liable for any claim asserted by any person, including the property owner, as a result of the LSLR.~~

(I) Indicates Increase (C) Indicates Change

28. Lead Service Line (LSLR) Program (Cont'd)

(8) Non-Owner Occupied Properties (Cont'd)

In any such instance of replacement, the Company, and any person associated with the Company, including but not limited to employees, agents, board members and executives, are released and held harmless from any and all claims, causes of action, damages or losses, of any nature, whatsoever with respect to the work performed by the Company or its contractors, and shall not be otherwise liable for any claim asserted by any person, including the property owner, as a result of the LSLR.

If a property owner expressly, in writing, refuses to allow the replacement of the Customer-Owned LSL, the Company will not proceed with the replacement and will proceed with termination procedures as specified in section (6) above. The Company also retains discretion to refuse to replace a Customer-Owned LSL in circumstances where the Company's employees or contractors may be placed in a dangerous situation in attempting to do the replacement.

~~(79)~~ Service Line Demarcation

If a shutoff valve is not located within 12 inches of the structure wall of the property, the Company may install a shutoff valve during the LSLR to serve as a point of demarcation between the property's service line and the property's interior water distribution piping.

The Company shall perfect its ownership of the portion of the service line located within the then-existing right-of-way in conformance with its Tariff to ensure that the Company can obtain necessary permits during the planning phase of a LSLR Project

~~(810)~~ Prohibition on Partial LSLRs and Notice Requirements

Neither a Customer nor a property owner may install a Partial LSLR. A Partial LSLR installed after July 23, 2022, shall result in immediate termination of service until both the Company-Owned LSL and Customer-Owned LSL have been replaced. The Company will proceed with immediate termination of water service to a location being served by a partial LSLR installed after July 23, 2022, irrespective of whether Independent Legal Restrictions would otherwise delay or prohibit termination. Such termination shall be deemed consistent with Chapter 14 of the Public Utility Code. Moreover, in these instances, the Company is not required to comply with termination procedures described in other portions of its tariff or the Commission's regulations.

Where a Customer or a property owner, if the Customer is not the property owner, elects to replace the Customer-Owned LSL, the Customer or property owner shall replace the Customer-Owned LSL concurrent with the Company replacing the Company-Owned LSL, provided that the Customer or property owner, if the Customer is not the property owner, shall provide the Company at least 90 days' notice prior to replacing the Customer-Owned LSL.

(C) Indicates Change

(C)

THE COLUMBIA WATER COMPANY

Canceling Fifteenth Revised Page No. 4

SCHEDULE OF RATES APPLICABLE TO COLUMBIA RATE DISTRICT

~~The Company shall not connect an Applicant for water service to the Company Owned service line at a property where a Customer or property owner, if the Customer is not the property owner, previously refused or failed to accept the Company's offer of a LSLR until the Applicant verifies the replacement of the Customer Owned LSL by providing a paid invoice from a licensed contractor or a verified statement from a licensed contractor attesting to completion of the LSLR.~~

(I) Indicates Increase (C) Indicates Change

28. Lead Service Line (LSLR) Program (Cont'd)

(10) Prohibition on Partial LSLRs and Notice Requirements (Cont'd)

The Company shall not connect an Applicant for water service to the Company-Owned service line at a property where a Customer or property owner, if the Customer is not the property owner, previously refused or failed to accept the Company's offer of a LSLR until the Applicant verifies the replacement of the Customer-Owned LSL by providing a paid invoice from a licensed contractor or a verified statement from a licensed contractor attesting to completion of the LSLR.

(C)

(C) Indicates Change

(911) Reimbursement

Where a Customer or property owner, if the Customer is not the property owner, has replaced its own Customer-Owned LSL, the Customer or property owner shall submit to the Company a reimbursement form located on the Company's website by mail, e-mail, fax, or hand delivery, which contains, at a minimum, a detailed estimate and paid invoice from a licensed contractor verifying the replacement of the Customer-Owned LSL. Instead of a detailed estimate, a verified statement from the contractor attesting to completion of a LSLR may be sufficient in the Company's discretion. A paid invoice must be submitted.

Upon submission of the reimbursement form, the Company will review the information that was provided within ninety days of receiving the reimbursement form to determine eligibility for a reimbursement. If sufficient information has not been provided at the time of submitting the reimbursement form, the Company will contact the Customer or property owner to request the necessary information to determine eligibility. The Company will have an additional forty-five days from the time it receives the additional information to determine a customer's eligibility for reimbursement.

A Customer or property owner, if the Customer is not the property owner, is eligible to receive a reimbursement if the Customer or property owner is located within a LSLR Project Area and replaced the Customer-Owned LSL within one year of LSLR Project Commencement. A Customer or property owner, if the Customer is not the property owner, located within a LSLR Project Area is eligible for a reimbursement of LSLR expenses up to 125% of the average cost over the last twelve months, on a rolling basis, the Company would have incurred to perform the replacement of a similarly-sized service line, not to exceed the actual cost to the Customer or property owner.

Reimbursements will be paid directly to the Customer or property owner, if the Customer is not the property owner, through the issuance of a check. The Company will issue a check within ninety days after verifying that the Customer or property owner is eligible for reimbursement.

(C) Indicates Change

28. Lead Service Line (LSLR) Program (Cont'd)

(C)

~~(1012)~~ Warranty

For Customer-Owned LSLs replaced directly by the Company or by a contractor at the Company's request, the Company will provide a two-year warranty for materials and workmanship of the replaced customer-owned portion of the Service Line commencing from the date the LSLR is complete. This warranty shall cover repairs conducted by the Company or a contractor at the Company's request of the replaced customer-owned portion of the Service Line up to \$2,500 per customer, including restoration of surfaces consistent with this Tariff, so long as the customer allows access to the property for repairs.

Only material defects and incomplete installation methods are covered by the warranty. The warranty does not cover, among other things, damage caused by natural disasters, acts of God, fires, terrorism, excavation activities, acts of sabotage, or deliberate damage. The Company shall have no liability for any damages not covered by the warranty.

~~(1113)~~ Limitation of Liability

The Company's liability relating to Lead Service Line Replacement efforts is limited as set forth in Rule 15 of this Tariff.

~~(1214)~~ Restoration

The Company will restore roadways and public sidewalks, backfill any trenches excavated as part of the replacement process and will fill and seal any wall or floor penetrations in the private home. No other restoration will be conducted for Lead Service Line Replacements. The Company will not replace any landscaping, interior finishes, paving, seeding, or walkways. All restoration costs shall be borne by the Customer or property owner, if the Customer is not the property owner.

~~(1315)~~ Ownership and Responsibility for Replacement Line

After a Customer-Owned LSL is replaced by the Company, the Customer shall continue to own the customer portion of the Service Line and shall have full responsibility for the repair, replacement and maintenance of the new customer portion of the Service Line.

(C) Indicates Change

## **Exhibit 4**

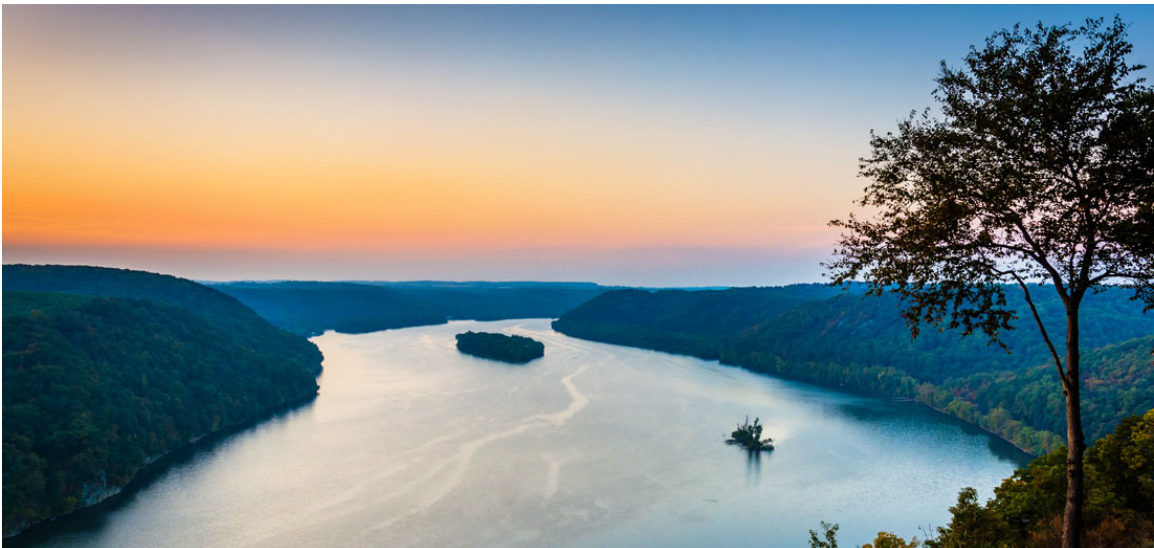
### **MODIFIED LONG-TERM INFRASTRUCTURE IMPROVEMENT PLAN**

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# COLUMBIA WATER COMPANY

## **MODIFIED** LONG-TERM INFRASTRUCTURE IMPROVEMENT PLAN

2023-2027



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## Introduction

In accordance with the requirements of 66 Pa. C.S. §§ 1350 - 1360 and the Public Utility Commission's Final Order for the Implementation of Act 11 of 2012 (Public Meeting of August 2, 2012, Docket No. M-2012-2293611), Columbia Water ~~Company~~Company's (CWC) ~~is submitting this~~ Long-Term Infrastructure Improvement Plan (LTIIIP). ~~CWC's LTIIIP~~ addresses infrastructure investment through its long-established and cost-effective Distribution System Improvement Charge (DSIC)<sup>1,2</sup>. ~~This LTIIIP incorporates the Marietta rate district and adjusts future spending projections to account for changes in available capital and the regulatory environment.~~<sup>2</sup>.

Since its establishment of a DSIC in April of 2003, CWC has replaced over 27,400 feet of pipe. This represents about 3.8% of its distribution system pipe that has been renewed through the DSIC program. In addition to pipe, CWC has replaced 940 service lines which is approximately 9% of the total service lines and 5,330 old age meters which is over 51% of the Company's meters. This has allowed CWC to continue to provide safe and reliable service to its customers. In addition, the DSIC has allowed the Company to manage infrastructure replacement costs in an effective manner by directly targeting those costs without the need for additional rate case filings, the reasonable costs of which are borne by the ratepayers.

Prior to Commission approval of the Company's last rate filing on March 1, 2018 at Docket No. R-2017-2598203, the Company operated two districts known as the Columbia District and the Marietta District. For purposes of the DSIC, the March 1, 2018 Commission Order combined the rate districts and made the Marietta Rate District DSIC eligible. Prior to the March 1, 2018 Commission Order, only the Columbia Rate District was DSIC eligible. This LTIIIP is for CWC's distribution system ~~which that~~ is located in the Columbia and Marietta rate districts. ~~On March 31, 2022, the Company acquired East Donegal Township Municipal Authority ("East Donegal").<sup>3</sup> The Company operates the East Donegal Rate District as a separate, independent system. Except to the extent necessary to carry out its Lead Service Line Replacement (LSLR) Plan (LSLR Plan), as discussed below, the Company's LTIIIP does not include the distribution system located in the East Donegal ~~rate district~~Rate District.~~

In accordance with the requirements of 66 Pa. C.S. § 1311 and the Public Utility Commission's Final Rulemaking Order for the Implementation of Act 120 of 2018 (Public Meeting of February 24, 2022, Docket No. L-2020-3019521), CWC is now submitting this modification to its LTIIIP to incorporate CWC's LSLR Plan into its LTIIIP. CWC's LSLR Plan addresses the Company's efforts to replace Company-owned and Customer-owned service lines made of lead materials as

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<sup>1</sup> The Pennsylvania Public Utility Commission authorized CWC to establish a DSIC through Final Order dated April 17, 2003 at Docket No. P-00021979.

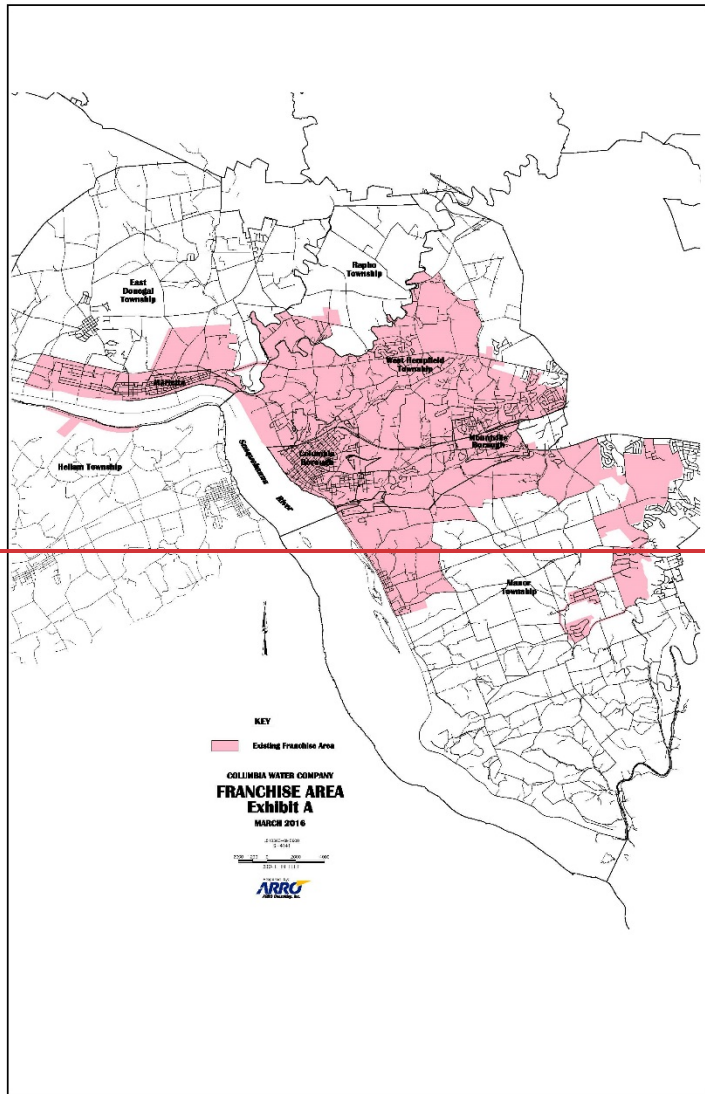
~~<sup>2</sup> The Pennsylvania Public Utility Commission authorized CWC to include the Marietta Rate District into its DSIC program through Final Order dated March 1, 2018 at Docket No. R-2017-2598203.~~

<sup>2</sup> The Pennsylvania Public Utility Commission authorized CWC to include the Marietta Rate District into its DSIC program through Final Order dated March 1, 2018 at Docket No. R-2017-2598203.

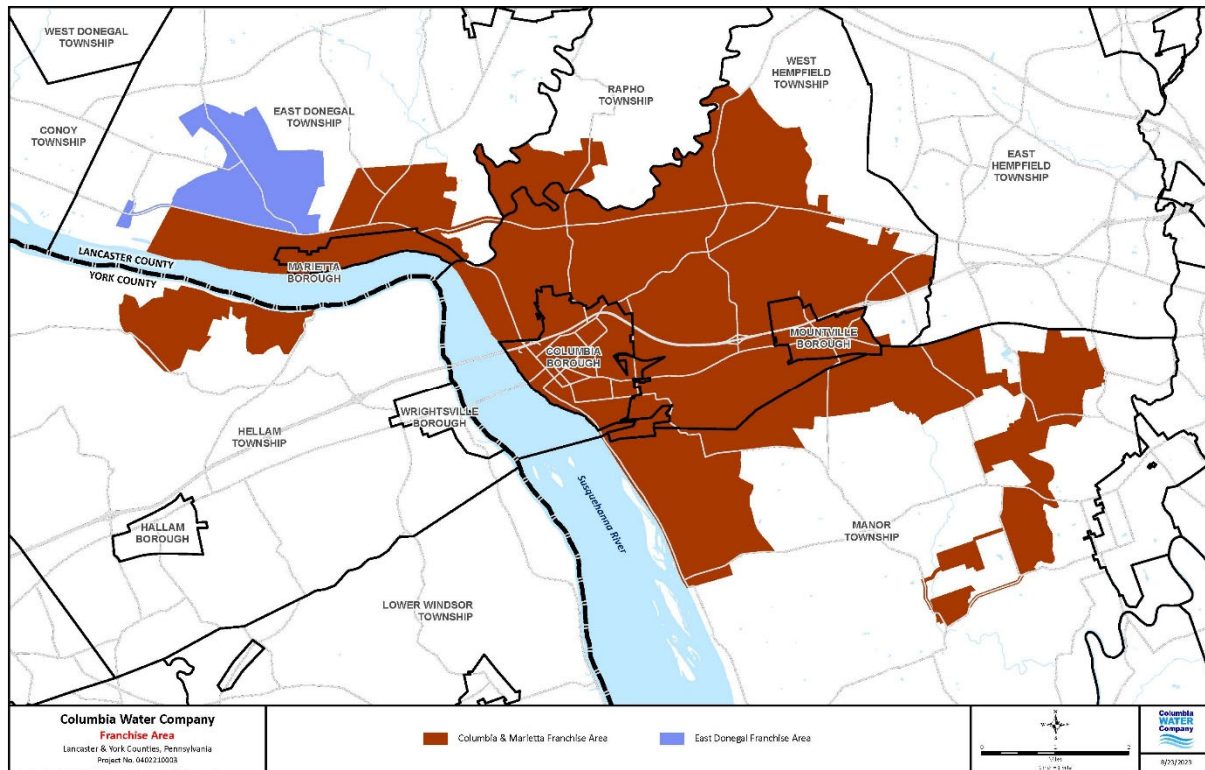
<sup>3</sup> The Pennsylvania Public Utility Commission authorized CWC to acquire the East Donegal Township Municipal Authority through Order dated February 3, 2022 at Docket No. A-2021-3027134, et al.

approved at Docket No. P-2023-\_\_\_\_\_3041845. The modified-LTIIP only applies to the East Donegal Rate District to the extent necessary to implement its LSLR Plan.<sup>4</sup>

CWC provides public water service to residential, commercial, public and industrial customers in Columbia, Marietta and Mountville Boroughs, West Hempfield, Manor, and East Donegal Townships, Lancaster County and Hellam Township, York County, Pennsylvania. CWC served approximately ~~10,400~~12,154 customers at the end of year ~~2021~~2022. Figure 1 shows the CWC service area covered by this LTIIP.



<sup>4</sup> The East Donegal rate district does not have a DSIC. As a result, the Company does not include East Donegal capital improvements in its DSIC. Similarly, LSLR costs that are attributable to the East Donegal system will not be recovered through the DSIC. The Company, however, reserves the right to request Commission approval to apply the DSIC to the East Donegal Rate District and recover these LSLR costs and all other DSIC-eligible costs attributable to the East Donegal Rate District through the DSIC.



**Figure 1 – Columbia Water Company Service Area**

The CWC distribution system is comprised of water mains that vary in size from 4-inch through 36-inch with the material type being mainly cast iron and ductile iron. The age of the water mains range from the 1870s through ~~2021~~2023. The condition of the pipes vary throughout the system and age is not always the best indicator of pipe condition. Other factors like the original quality of the pipe, installation and geology impact the pipe condition and reliability.

This LTIP identifies how CWC will use the DSIC to replace aging infrastructure at an accelerated pace. This LTIP will identify the types and ages of infrastructure eligible for DSIC recovery; schedule for the planned replacements; location of the eligible property; estimates of the quantity to be replaced; projected annual expenditures; manner in which the replacement will be accelerated; workforce management plan to ensure work is completed safely and cost effectively; and description of outreach to other utilities to minimize disruption to customers; as well as the benefit to customers of accelerated infrastructure rehabilitation and replacement.

This LTIP will also incorporate the Company’s LSLR Plan into its LTIP. In October 2018, Governor Wolf signed into law Act 120 of 2018 (Act 120), which became effective on December 23, 2018. Act 120 amended Section 1311(b) of the Public Utility Code in order to, *inter alia*, authorize water utilities to pursue comprehensive replacement of lead service lines (LSLs) that remain in service across Pennsylvania subject to Commission approval. The Commission promulgated its LSLR Regulations requiring a Class A water public utility to remove and replace all LSLs, whether entity-owned or customer-owned, within or connected to its water distribution systems within 25 years from the effective date of the Commission’s regulations. Moreover, 52

Pa. Code § 65.54(b) requires that the utility shall include with its LSLR Program a modified LTIP containing a LSLR plan as a separate and distinct component of the entity's LTIP. Accordingly, Columbia Water has begun efforts to replace LSLs in its system, including galvanized materials downstream of a LSL, as well as any lead pigtail, gooseneck, or other fitting that is connected to a LSL. This LTIP will identify how CWC will incorporate its LSLR Plan into its LTIP to continue replacing aging infrastructure in combination with the replacement of LSLs.

## Section 1 – Types and Age of Eligible Property

A listing of all eligible property, as defined in 66 Pa. C.S. §1351-(3), is provided in this section. CWC developed and integrated a Geographic Information Systems (GIS) to map and manage its water system assets. The water system assets such as water mains, valves, hydrants, tanks, and service lines are spatially located and attributed with information about the distribution system. This information is supplemented with paper mapping and files as necessary. This process provides the means for CWC to document data and provides the Company with an efficient means to identify DSIC eligible facilities for replacement. These efficiencies translate into direct savings to the customers by specifically targeting the appropriate facilities to be replaced.

CWC has also developed a LSL inventory to locate, track, and replace Company-owned and Customer-owned service lines that contain lead, galvanized steel downstream of a LSL, and lead pigtails, goosenecks, or other fittings connected to LSLs. Columbia Water has incorporated the LSL inventory into its GIS to map and manage these assets. This information is supplemented with paper mapping and files as necessary.

CWC owns the following water system components:

*Water mains* – In a water distribution system the water mains form the network necessary to distribute water to the customers. Larger water mains are used to move large volumes of water to pressure zones and key demand areas. Smaller mains fill in the network and are normally located beneath the streets and roads in the front of homes, businesses, schools and factories. Water gets delivered from the water main to the customer through a service line. CWC owns approximately 722,890 Linear Feet (LF) of water mains, not including the East Donegal Rate District. The material type of the water main generally depends on the installation date and the installing party. Newer mains are normally ductile iron cement lined (DICL) pipe with the older mains being mainly unlined cast iron pipe. Very limited pockets of polyvinyl chloride (PVC) exist within the system.

*Company-Owned Service lines* - Water gets delivered from the water main to the customer's curb stop through a Company-owned, pressurized service line. CWC owns the service line between the water main and the curb stop (~~“Company owned service line”~~). ~~The service line from the curb stop to the customer's building (“Customer owned service line”) is owned by the customer and any replacement of the customer's portion of the service line is the responsibility of the customer and thus Customer owned service lines are not included in this LTIP. (Company-owned service line).~~ The Company-owned service lines vary in size from 6-inch down to ¾-inch with a majority of CWC's service lines being constructed of copper. ~~Only copper is used when Company owned service~~

lines are replaced. A small portion of Company-owned service lines may be made of lead. Only copper is used when Company-owned service lines are replaced. The Company owns approximately 10,407 service lines for its Columbia and Marietta Rate Districts and 1,718 service lines for its East Donegal Rate District. The Company estimates the total number of Company-owned LSLs that need to be replaced to be less than 400. CWC plans to identify, at a minimum, a cumulative average of 10.0% of the initial unknown service materials annually by means of utilizing existing records, modeling, statistical analysis, and mechanical excavation.

*Valves* – Valves are used to control the volume and direction of flow in the distribution system. They are also used to isolate sections of water main for replacements or repairs. Almost all valves are buried and are opened or closed through a valve box that extends from the valve to the ground surface. The valves vary in size from 4-inch through 16-inch. CWC owns approximately 3,535 valves in its system, not including the East Donegal Rate District.

*Hydrants* – Hydrants are typically located along roadways and right-of-ways. Hydrants are used to flush water from the water system and to assist in fighting fires. Generally, a hydrant can be isolated from the distribution system by opening or closing a dedicated hydrant valve. Hydrants play a critical role in system maintenance and community fire protection. CWC owns approximately 978 hydrants in its system, not including the East Donegal Rate District.

*Meters* – Meters are used to measure the amount of water used by a customer. Meters are sized based upon the amount of water a customer uses. Typically residential customers have a 5/8-inch or 3/4-inch meter. Commercial customers have meters that range from 3/4-inch through 2-inch meters. Industrial customers normally have meters in the 2-inch through 6-inch range. CWC owns approximately 10,407 meters in its system, not including the East Donegal Rate District.

Customers own the following water system components:

*Customer-Owned Service Lines* - the portion of the service line extending from the Curb Stop to the meter or one foot inside a building foundation, whichever is farther (Customer-owned service line). The Customer-owned service line is owned by the customer. Generally, any replacement of the Customer-owned service line is the responsibility of the customer and not included in this LTIP. However, Customer-owned service lines are included in this LTIP only for purposes of the LSLR Plan and the replacement of Customer-owned service lines made of lead materials. The Customer-owned service lines vary in size from 6-inch down to 3/4-inch with a majority of Customer-owned service lines being constructed of copper. A small portion of Customer-owned service lines may be made of lead. Copper or plastic is used when Customer-owned service lines are replaced pursuant to the LSLR Plan. The Company has identified approximately 12,115 Customer-owned service lines across all three rate districts. The Company estimates the total number of Customer-owned LSLs that need to be replaced to be less than 400. CWC plans to identify, at a minimum, a cumulative average of 10.0% of the initial unknown service

materials annually by means of utilizing existing records, modeling, statistical analysis, and mechanical excavation.

Table 1 provides a breakdown of eligible property by type-, not including the property eligible for replacement under the LSLR Plan. Table 2 provides a breakdown of the water main by size. Table 3 provides a breakdown of eligible property for the LSLR Plan. Table 5 provides a breakdown of the company side and customer side service line materials eligible under the LSLR Plan by material.

**Table 1 – Types and Age of Eligible Property**

<b>Property Type</b>	<b>Quantity<sup>***</sup></b>	<b>Age (Year)</b>
Water mains **	722,890 LF	1875 - <del>2021</del> 2023
Company-owned service lines	10,407 EA	1875 - <del>2021</del> 2023
Valves	3,535 EA	1875 - <del>2021</del> 2023
Hydrants	978 EA	1875 - <del>2021</del> 2023
Meters	10,407 EA	1990 - <del>2021</del> 2023

\*\* - less than 2% of all water mains were installed prior to 1900.

\*\*\* - does not include the East Donegal Rate District.

**Table 2 – Quantity of Water Mains by Size**

<b>Water Main Diameter (inches)</b>	<b>Quantity (Linear Feet)<sup>**</sup></b>
4	7,550
6	143,650
8	311,050
10	52,200
12	195,000
16	13,100
36	340
<b>TOTAL</b>	<b>722,890</b>

\*\* - does not include the East Donegal Rate District.

**Table 3 – Types and Age of Eligible Property Under the LSLR Plan**

<b><u>Property Type</u></b>	<b><u>Quantity<sup>**</sup></u></b>	<b><u>Age (Year)</u></b>
<u>Company-owned service lines</u>	<u>12,051 EA</u>	<u>1875 – 2023</u>
<u>Customer-owned service lines</u>	<u>12,050 EA</u>	<u>1875 - 2023</u>

\*\* - only eligible to the extent the service lines are made of lead materials.

**Table 4 – Company-Side and Customer-Side Service Lines Eligible Under the LSLR Plan by Material**

<u>Company Side Material</u>		<u>Customer Side Material</u>	
<u>Lead</u>	<u>4</u>	<u>Lead</u>	<u>1</u>
<u>Copper</u>	<u>4,297</u>	<u>Copper</u>	<u>2,135</u>
<u>Unlikely Lead</u>	<u>4,560</u>	<u>Unlikely Lead</u>	<u>5,103</u>
<u>Unknown</u>	<u>3,173</u>	<u>Unknown</u>	<u>4,807</u>
<u>Likely Lead</u>	<u>1</u>	<u>Likely Lead</u>	<u>1</u>
<u>Other</u>	<u>16</u>	<u>Other</u>	<u>3</u>
<u>TOTAL</u>	<u>12,051</u>	<u>TOTAL</u>	<u>12,050</u>

## Section 2 – Schedule for Planned Replacement of Eligible Property

CWC understands the importance and benefits of continuous renewal of aging infrastructure to continue to provide safe and reliable service to our customers. This section provides an overview of the planning process for replacing aging water distribution system infrastructure- and Company-owned and Customer-owned LSLs. This section does not discuss the planning process for new water main extensions or for improvements to treatment, storage and pumping facilities since they are not DSIC eligible.

Many components must be evaluated and weighted when determining which infrastructure to replace in a given year. In general the following components, in order of priority, are used to select infrastructure to replace each year:

- Planned state highway improvements;
- Planned municipal street improvements;
- Planned large scale improvements by other utilities;
- Water main break frequency;
- Age;
- Material quality; and
- Installation quality.

The first three items are given the highest priority since CWC has little to no influence on the scheduling of work by outside entities. CWC understands the significant benefit to the customers and municipalities when infrastructure is replaced and/or improved concurrently with other public infrastructure work. CWC meets at least annually with the municipalities in which it serves public water to coordinate the replacement of water system infrastructure with planned street upgrades. This directly reduces the cost to the Company and thus, to customers, by providing for less construction work and expense to replace these lines.

With respect to material quality, the Company will prioritize the replacement of services lines made of lead materials. These projects will be prioritized based on targeted sensitive populations as defined by the Environmental Protection Agency (EPA) and the Pennsylvania Department of Environmental Protection (PADEP), which includes areas with elevated levels of lead in tap water, areas with high concentrations of lead service lines, and/or areas of the distribution system which have elevated corrosion rates. A list of sensitive populations has also been developed to determine the service line materials. The list includes schools, nursing homes, large apartment buildings, churches, and industries. These service lines have been or will be detailed as sensitive populations in the Service Line Inventory. Homes with multiple meters and multiple family residents will also be prioritized to determine service line material.

Lead materials will be identified through four methods: (1) in combination with main replacements, (2) through mechanical excavation, (3) through customer self-surveys, and (4) emergency repairs, as set forth below:

*In Combination with Main Replacements* - As part of its broader LTIIP efforts, Columbia Water will analyze record-reviews of old age mains within the oldest parts of the distribution system to determine which water mains in the distribution system should be replaced. Prior to choosing a LSLR Project Area, the Company's distribution crew will review records and/or physically inspect a portion of the service lines within a proposed area to gauge the likelihood of lead within that area. Coordination with municipalities will take place to minimize costs and minimize impacts on roads and neighborhoods. Once the LSLR Project Areas are determined, the projects will be posted on the Columbia Water website at least six (6) months in advance of the work being done. Prior to the work being initiated, Columbia Water staff will reach out to the customers to determine all service line materials within the affected area, and to provide the customers with detailed information regarding the routine procedures and the potential health risks involved.

*Mechanical Excavation* - Areas with a higher likelihood of having lead service lines will be prioritized for these projects. Columbia Water will physically excavate the service lines to determine material types. If a service line is determined to be lead, coordination will occur with the customer(s) and the property owner to have the service line replaced.

*Customer Self-Surveys* - Columbia Water will reach out to the customers with lead, galvanized requiring replacement, or unknown service lines. Customers who discover a lead service line may call and schedule to have their service line replaced. CWC will schedule to replace customer-owned lead service lines. If the company side is lead, it will

be replaced at the same time with the customer side. These replacements will occur as discovered.

Emergency Repair - If a lead service line is leaking or otherwise defective at the time it is discovered, CWC will replace the lead service line in accordance with its tariff. Columbia Water staff will maintain the proper equipment and tools necessary for emergency service line replacements. If a lead service line is discovered during an emergency but is not leaking, the replacement of the line will be scheduled for replacement at a later date.

The Company plans to undertake repair and replacement of its system components in the following manner:

*Water main replacement* – Work normally entails full replacement of the water main (as opposed to rehabilitate) since this option eliminates long-term structural and integrity deficiencies that remain when a water main is simply rehabilitated. Further, this option is also considerably less disruptive to the customer since the new main can be installed, tested and placed into service before moving service lines from the old main to the new main. Disruption of water service is minimal since the customer is without service during their service line switch over only. In areas where considerable construction or restoration costs would be incurred to replace a water main, rehabilitation of the existing main is pursued.

*Valve and hydrant replacement* – Work normally involves the full replacement of the valve and hydrant. Occasionally a relatively new valve or hydrant will be rebuilt and/or reused but only in those situations where the reliability and integrity are well known. Valves and hydrants normally get replaced at the same time a water main is being replaced or rehabilitated. There are times when critical valves and hydrants are replaced independently of a full scale water replacement project. Properly operating valves greatly benefit the customers since it minimizes the geographic area impacted by a main repair and minimizes the amount of time needed to make a repair. A schedule of valve and hydrant replacements is provided in Table 4.5.

*Company-Owned Service line replacement* – Work normally involves the full replacement of the company-owned service line between the water main and the curb stop. The work will include replacement of the curb stop and curb box. Company-owned service lines get replaced during full scale water replacement projects or if the Company determines they otherwise need to be replaced due to conditions including but not limited to leaks or malfunction.

*Meter replacement or repair*– Residential and commercial meters normally involve full replacement. Some commercial and industrial meters can be rehabilitated. Meter replacement is typically based upon meter age. CWC replaces its meters in compliance with the schedule in the Commission’s regulation at 52 Pa. Code § 65.8. Accelerated replacement of meters will benefit customers directly through more accurate meter readings.

Lead service line replacement – Work involves replacing Company-owned and Customer-owned LSLs using existing routes through a combination of pipe splitting and/or pipe pulling. This approach removes or displaces existing pipe while simultaneously replacing it with a new pipe and is the preferred method under normal circumstances. Columbia Water may also utilize guided boring to install new pipe along a different route or using open trench excavation to remove replace the pipe. The appropriate replacement technique will depend on a combination of many site-specific characteristics, including, but not limited to, time constraints, soil characteristics, depth to ground water or rock, depth of road foundation, condition of the service line, proximity of other utility services (e.g., electric, gas, cable, sewer, storm water), site conditions (e.g., access, parking, paving, landscaping, overhead obstructions), pipe conditions (e.g., length of pipe, pipe diameter and wall thickness, bury depth, configuration, and repair history, and conditions inside the home like a finished basement with limited access to the water meter and plumbing. All new pipe installation will be copper or plastic.

### Section 3 – Location of Eligible Property

All of the CWC’s eligible property is located in Lancaster and York Counties, Pennsylvania. More specifically, the property is located in the boroughs of Columbia, Marietta and Mountville and in portions of the townships of West Hempfield, East Donegal, Hellam and Manor. See Figure 1 for additional details.

Areas with Company-owned and Customer-owned LSLs are more specifically found on houses built prior to 1950 with water mains older than 1970 within Columbia Borough and Marietta Borough. Though lead service line materials may be found in Mountville Borough and in portions of the townships of West Hempfield, East Donegal, Hellam and Manor. See Figure 1 for additional details.

### Section 4 – Estimate of the Quantity of Eligible Property to be Replaced

Table 35 identifies eligible property that is projected to be replaced in the next five years. These quantities were prepared based upon the best available information (planned municipal and utility projects, main break data, pipe age, etc.) at the time this plan was prepared. Actual quantities may vary depending on conditions that could change in the distribution system or changes made by the municipalities to their street projects.

**Table 35 – Projected Quantities of Eligible Property to be Replaced for 2023 - 2027**

Year	Water Main (LF)	Service lines (ea.)	Valves	Hydrants	Meters
2023	1,200	30	5	3	140
2024	1,200	<del>30</del> 5030	5	3	140
2025	1,200	<del>30</del> 50	5	3	140

2026	1,200	<del>30</del> 50	5	3	140
2027	1,200	<del>30</del> 50	5	3	140

Prior to 2024, the LTIP contained 30 service line replacements. The Company-owned service lines being replaced were primarily made of lead materials. The Company is now planning to undertake 50 service line replacements, which includes replacing Company-owned and Customer-owned LSLRs, on an annual basis beginning in 2025.

## Section 5 – Projected Annual Expenditures

The projected annual expenditures for the 2023 to 2027 period are listed in Table 46 below. These estimates are based upon the quantities listed in Table 35 and recent construction costs. A break down by category is provided in Table 57.

**Table 46 – Projected Annual Expenditures for 2023 - 2027**

Year	Projected Annual Expenditures
2023	\$280,000
2024	<del>\$280</del> 3280,000
2025	<del>\$280</del> 380,000
2026	<del>\$280</del> 380,000
2027	<del>\$280</del> 380,000

**Table 57 – Projected Annual Expenditures by Category for 2023 - 2027**

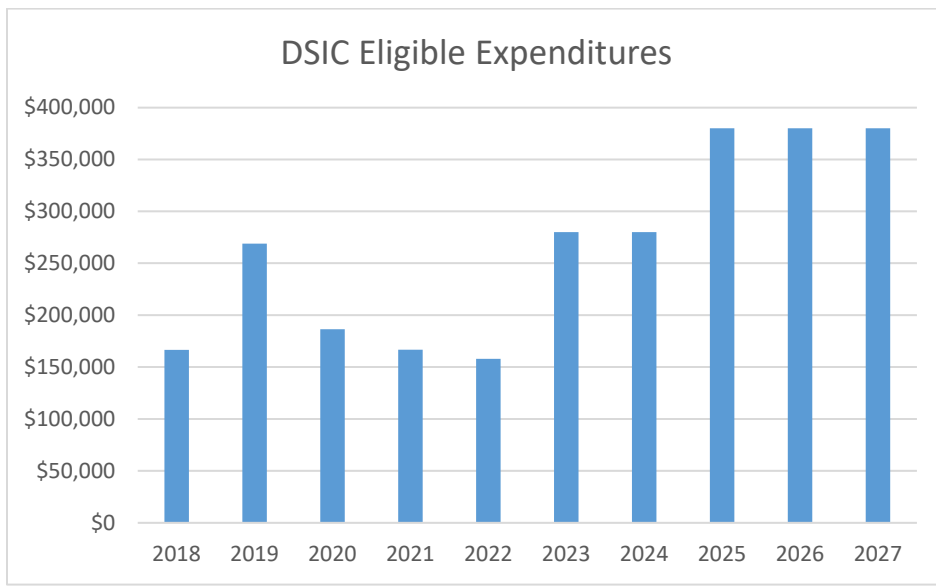
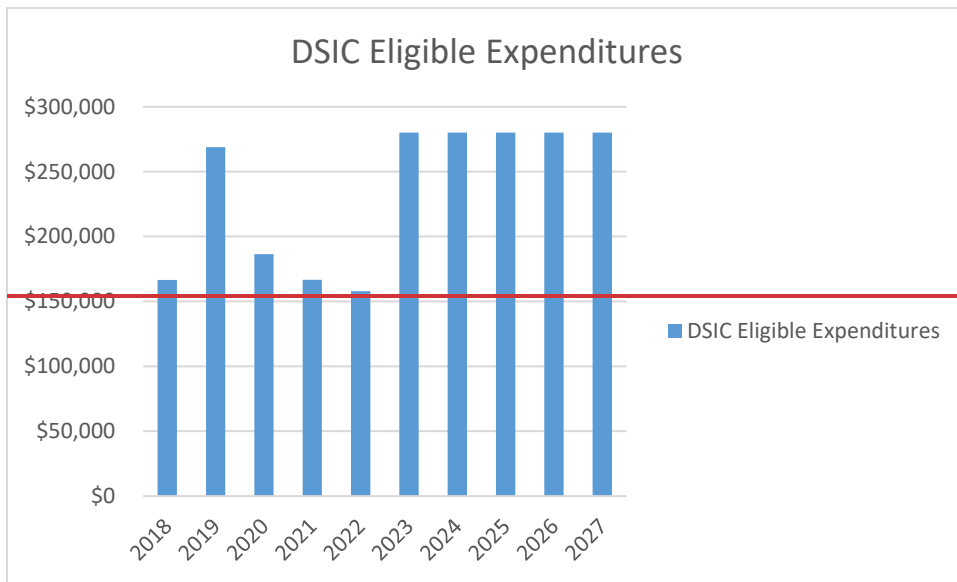
Year	Water Main	Service Lines	Valves	Hydrants	Meters	Total
2023	\$160,000	\$45,000	\$15,000	\$10,000	\$50,000	\$280,000
2024	\$160,000	<del>\$45</del> 145,000	\$15,000	\$10,000	\$50,000	<del>\$280</del> 3280,000
2025	\$160,000	<del>\$45</del> 145,000	\$15,000	\$10,000	\$50,000	<del>\$280</del> 380,000
2026	\$160,000	<del>\$45</del> 145,000	\$15,000	\$10,000	\$50,000	<del>\$280</del> 380,000
2027	\$160,000	<del>\$45</del> 145,000	\$15,000	\$10,000	\$50,000	<del>\$280</del> 380,000

Prior to 2024, the Company was already investing \$45,000 into replacing primarily Company-owned service lines made of lead. The Company is committing to an additional \$100,000 for a total of \$145,000 for Company-owned and Customer-owned LSLRs beginning in 2025. For all projects, the most prudent, cost-effective methods will be used to complete the project. Almost all eligible property is abandoned in place after the replacement infrastructure is installed and therefore is not salvageable. Meters can be salvaged and are sold at local salvage yards.

## Section 6 – Acceleration of Infrastructure Replacement

CWC has a track record of investing in its infrastructure to maintain safe and reliable service to all of its customers including infrastructure not eligible for DSIC. Over the past 5 years considerable investment has occurred in major upgrades of its water system including a system-wide security system, four (4) emergency generators, repainted two tanks, and installing a new intake in the Susquehanna River. In addition CWC purchased an adjacent water system that was being operated by part-time contractors.

In addition to the capital expenditures listed above, CWC, through the use of its DSIC, continued to replace water mains, Company-owned service lines, valves, hydrants and meters. Figure 2 graphs the projected and historical DSIC eligible capital expenditures. With the completion of the large projects listed above, additional capital will be directed towards expediting infrastructure replacement.



**Figure 2 – Projected and Historic DSIC Eligible Expenditures**

The projected DSIC eligible expenditures will accelerate the replacement of infrastructure by approximately 80 percent. Moreover, through the Company’s LSLR Plan, the Company will make a concerted effort to replace existing LSLs in a timely manner within the time frame set forth in 52 Pa. Code § 65.53(a). The LSLR Plan will take place in conjunction with Columbia Water’s other infrastructure investments.

## Section 7 – Workforce Management Plan and Training

To ensure system reliability, public safety, quality installation and cost-effectiveness, all DSIC eligible projects will be constructed by qualified personnel. CWC uses a competitive bidding process for the purchase of piping, valves and hydrants. A list of materials is prepared for the project and sent to the four (4) major pipe suppliers for price quotes. CWC utilizes its own staff and equipment for the installation of water mains, ~~company~~Company-owned service lines, Customer-owned service lead service lines, valves, hydrants and meters. Company employees utilized for this type of work have extensive training in the use of heavy equipment, pipe laying procedures, disinfection procedures and safety training. For water mains greater than 12-inches in diameter, stream crossings or expedited Pa DOT projects, CWC uses qualified local contractors for water main, valves and hydrant installations. These local contractors are prequalified based upon experience with similar projects, safety record, and qualifications of personnel. All project sites are inspected regularly throughout the construction process by Company personnel.

## Section 8 – Outreach and Coordination with other Utilities

CWC meets annually, and often times more frequently, with the municipalities where it provides public water service to coordinate the replacement of water main with the reconstruction and/or repaving of streets and roadways. These meetings often times include the other utilities serving the same areas. CWC coordinates its replacement projects to coincide with other planned roadway and utility work. PaDOT is very effective at notifying utilities well ahead of planned state highway projects making coordination of the work an easy process. In each of the municipalities where CWC provides public water service, public officials have a strong record of planning street projects far enough in advance to allow each of the major utilities to upgrade facilities as necessary.

For each project, CWC coordinates all work with the state or local municipality through planning meetings and the permitting process. In addition, CWC utilizes the PA One Call system to minimize utility conflicts and notifies customers of proposed work with door hangers throughout the construction process.

## ~~Section 9—Lead Service Line Replacement Plan~~

~~In accordance with the requirements of 66 Pa. C.S. § 1311 and the Public Utility Commission’s Final Rulemaking Order for the Implementation of Act 120 of 2018 (Public Meeting of February 24, 2022, Docket No. L-2020-3019521), CWC is submitting this Lead Service Line Replacement Plan (LSLR Plan). CWC’s LSLR Plan addresses the Company’s efforts to replace company-owned and customer-owned Lead Service Lines as approved at Docket No. P-2023-~~

~~Lead is a heavy metal that commonly occurs in our environment. Humans can be exposed to lead through a variety of sources, including dust, soil, or paint chips, as well as through ingestion from drinking water. The deleterious health effects of lead are now well-recognized. Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.~~

~~In October 2018, Governor Wolf signed into law Act 120 of 2018 (“Act 120”), which became effective on December 23, 2018. Act 120 amended Section 1311(b) of the public Utility Code in order to, *inter alia*, authorize water utilities to pursue comprehensive replacement of lead service lines that remain in service across Pennsylvania subject to Commission approval.~~

~~Pursuant to Act 120, the Commission promulgated its LSLR Regulations at 52 Pa. Code § 65.51, *et seq.*, which became effective on July 23, 2022. 52 Pa. Code § 65.53 states that “[a]n entity...shall remove and replace all LSLs, whether entity-owned or customer-owned, within or connected to its water distribution systems within 25 years from the effective date of this section for a Class A public utility...” 52 Pa. Code § 65.54(a) and 65.55(a) further states that a Class A public utility or authority shall file a Petition for an LSLR Program within 1 year of the effective date of this section, or by July 23, 2023. Moreover, 52 Pa. Code § 65.54(b) requires that the utility shall include with its LSLR Program a modified LTHP containing a LSLR plan as a separate and distinct component of the entity’s LTHP.~~

~~Accordingly, Columbia Water has begun efforts to replace lead service lines in its system, including galvanized materials downstream of a lead service line, as well as any lead pigtail, gooseneck, or other fitting that is connected to a lead service line. This section of the LTHP will identify how CWC will incorporate its LSLR Plan into its LTHP to continue replacing aging infrastructure in combination with the replacement of lead service lines.~~

### ~~(1) Identification of types and age of eligible property owned and operated by the utility for which it is seeking DSIC recovery.~~

~~A listing of the eligible property, as defined in 66 Pa. C.S. §1351(3), is provided in this section. CWC developed a lead service line inventory to locate, track, and replace company-owned and customer-owned service lines that contain lead, galvanized steel downstream of a lead service line, and lead pigtails, goosenecks, or other fittings connected to lead service lines. Columbia Water is currently working to incorporate the service line Inventory into its GIS to map and manage these assets. This information is supplemented with paper mapping and files as necessary.~~

CWC owns the following water system components:

~~Company-Owned Service Lines~~—Water gets delivered from the water main to the customer’s curb stop through a Company-owned, pressurized service line. CWC owns the service line between the water main and the curb stop (“Company-Owned Service Line”). The Company-Owned Service Lines vary in size from 6 inch down to ¾ inch with a majority of CWC’s service lines being constructed of copper. Only copper is used when Company-owned service lines are replaced.

The customer owns the following water system components:

~~Customer-Owned Service Lines~~—The portion of the lead service line extending from the Curb Stop to the meter or one foot inside a building foundation, whichever is farther (“Customer-Owned Service Line”). Generally, any replacement of the Customer-Owned Service Line is the responsibility of the customer. However, Customer-Owned Service Lines are included in this LTIP only for purposes of the LSLR Plan. The Customer-Owned Service Lines vary in size from 6 inch down to ¾ inch with a majority of Customer-Owned Service Lines being constructed of copper. Copper or plastic is used when Customer-Owned service lines are replaced pursuant to the LSLR Plan.

Table 6 provides a breakdown of the company side materials and customer side materials by type. Table 7 provides a breakdown of the service lines by type and size.

**Table 6—Company Side and Customer Side Materials by Type**

<del>Company Side Material</del>		<del>Customer Side Material</del>	
Lead	3	Lead	0
Copper	2921	Copper	712
Unlikely Lead	5921	Unlikely Lead	6477
Unknown	3267	Unknown	4923
Likely Lead	0	Likely Lead	0
<del>Other</del>	<del>16</del>	<del>Other</del>	<del>3</del>
<b>TOTAL</b>	<b>12125</b>	<b>TOTAL</b>	<b>12115</b>

**Table 7—Service Lines by Size and Type**

Full Line Classification										
	3/4	1	1-1/2	2	3	4	6	8	Unknown	Total
Lead	3	0	0	0	0	0	0	0	0	3
Non-Lead	3,251	41	35	48	5	3	0	0	1,078	4,461
Lead Status Unknown	7,062	137	31	113	5	25	50	13	229	7,665
Galvanized Requiring Replacement	0	0	0	0	0	0	0	0	0	0
TOTAL	10,316	178	66	161	10	28	50	13	1,307	12,129

~~Based on the initial inventory, the Company has identified three (3) lead service lines on the company owned portion of the service line. The Company estimates the total number of lead service lines that will need to be replaced to be less than 400. CWC plans to identify, at a minimum, a cumulative average of 10.0% of the initial unknown service materials annually by means of utilizing existing records, modeling, statistical analysis, and mechanical excavation.~~

~~(2) An initial schedule for planned repair and replacement of eligible property.~~

~~As part of its broader LTIP efforts, Columbia Water will analyze record reviews of old age mains within the oldest parts of the distribution system to determine which water mains in the distribution system should be replaced. Prior to choosing a target area, the Company's distribution crew will review records and/or physically inspect a portion of the service lines within a proposed area to gauge the likelihood of lead within that area. Coordination with municipalities will take place to minimize costs and minimize impacts on roads and neighborhoods. Once the targeted areas are determined, the projects will be posted on the Columbia Water website at least six (6) months in advance of the work being done. Prior to the work being initiated, Columbia Water staff will reach out to the customers to determine all service line materials within the affected area, and to provide the customers with detailed information regarding the routine procedures and the potential health risks involved.~~

~~With respect to replacing LSLs discovered during mechanical excavation, areas with a higher likelihood of having lead service lines will be prioritized for these projects. Columbia Water will physically excavate the service lines to determine material types. If a service line is determined to be lead, coordination will occur with the customer(s) and the property owner to have the service line replaced.~~

~~With respect to replacing customer-owned LSLs discovered inside the building, Columbia Water will reach out to the customers with lead, galvanized requiring replacement, or unknown service lines. Customers who discover a lead service line may call and schedule to have their service line replaced. CWC will schedule to replace customer-owned lead service lines. If the company side is lead, it will be replaced at the same time with the customer side. These replacements will occur as discovered.~~

~~If a lead service line is leaking or otherwise defective at the time it is discovered, CWC will replace the lead service line in accordance with its tariff. Columbia Water staff will maintain the proper equipment and tools necessary for emergency service line replacements. If a lead service line is discovered during an emergency but is not leaking, the replacement of the line will be scheduled for replacement at a later date.~~

~~Determination of LSLR projects under these three procedures will be prioritized based on targeted sensitive populations as defined by the EPA and PADEP, which includes areas with elevated levels of lead in tap water, areas with high concentrations of lead service lines, and/or areas of the distribution system which have elevated corrosion rates. A list of sensitive populations has also been developed to determine the service line materials. The list includes schools, nursing homes, large apartment buildings, churches, and industries. These service lines have been or will be detailed as sensitive populations in the Service Line Inventory. Homes with multiple meters and multiple family residents will also be prioritized to determine service line material.~~

~~Columbia Water intends to replace LSLs using existing routes through a combination of pipe splitting and/or pipe pulling. This approach removes or displaces existing pipe while simultaneously replacing it with a new pipe and is the preferred method under normal circumstances. Columbia Water may also utilize guided boring to install new pipe along a different route or using open trench excavation to remove replace the pipe. The appropriate replacement technique will depend on a combination of many site-specific characteristics, including, but not limited to, time constraints, soil characteristics, depth to ground water or rock, depth of road foundation, condition of the service line, proximity of other utility services (e.g., electric, gas, cable, sewer, storm water), site conditions (e.g., access, parking, paving, landscaping, overhead obstructions), pipe conditions (e.g., length of pipe, pipe diameter and wall thickness, bury depth, configuration, and repair history, and conditions inside the home like a finished basement with limited access to the water meter and plumbing. All new pipe installation will be copper or plastic.~~

**~~(3) A general description of location of eligible property.~~**

~~The areas with lead service lines are more specifically found on houses built prior to 1950 with water mains older than 1970 within Columbia Borough and Marietta Borough. Though lead service line materials may be found in Mountville Borough and in portions of the townships of West Hempfield, East Donegal, Hellam and Manor. See Figure 1 for additional details.~~

**~~(4) A reasonable estimate of quantity of eligible property to be improved or repaired.~~**

~~CWC plans to replace approximately 50 lead service lines per year. This projection was determined by estimating the total number of lead service lines to be less than 400. After all existing records have been inventoried, CWC will review this annual projection and adjust it as necessary.~~

**~~(5) Projected annual expenditures and means to finance the expenditures.~~**

~~The projected annual investment in lead service line replacements (“LSLR”) is approximately \$250,000. Table 8 identifies the number and cost of lead service lines that are projected to be replaced in the next five years.~~

**Table 8—Projected Number and Cost Associated with Lead Service Line Replacements**

<b>Year</b>	<b>Projected Number of Lead Service Line Replacements</b>	<b>Projected Annual Expenditures</b>
2024	50	\$250,000
2025	50	\$250,000
2026	50	\$250,000
2027	50	\$250,000
2028	50	\$250,000

~~The cost incurred by Columbia Water for LSLRs will be funded with a combination of commercial loans, cash from operations, and/or loans issued by the Pennsylvania Infrastructure Investment Authority.~~

**~~(6) A description of the manner in which infrastructure replacement will be accelerated and how repair, improvement or replacement will ensure and maintain adequate, efficient, safe, reliable and reasonable service to customers.~~**

~~Through the Company’s LSLR Plan, the Company will make a concerted effort to replace existing lead service lines in a timely manner within the time frame set forth in 52 Pa. Code § 65.53(a). The LSLR Plan will take place in conjunction with Columbia Water’s other infrastructure investments.~~

**~~(7) A workforce management and training program designed to ensure that the utility will have access to a qualified workforce to perform work in a cost-effective, safe and reliable manner.~~**

~~As with its other DSIC-eligible projects, lead service line replacements will be completed by qualified personnel. Columbia Water will use a competitive bidding process for the purchase of the necessary materials. A list of the materials will be prepared and sent to the four (4) major pipe suppliers for price quotes. CWC will then utilize its own staff and equipment for the installation of company-owned and customer-owned service lines. Company employees utilized for this work will have extensive training in the use of heavy equipment, pipe laying procedures, disinfection procedures and safety training. Qualified local contractors may be used for some projects depending on the level of work involved. Local contractors are prequalified based upon experience with similar projects, safety record, and qualifications of personnel. All project sites will be inspected regularly throughout the construction process by Company personnel.~~

~~(8) A description of a utility's outreach and coordination activities with other utilities, Department of Transportation and local governments regarding the planned maintenance/construction projects and roadways that may be impacted by the LTIP.~~

~~With its other DSIC eligible projects, CWC meets annually, and often times more frequently, with the municipalities where it provides public water service to coordinate the replacement of water main with the reconstruction and/or repaving of streets and roadways. These meetings often times include the other utilities serving the same areas. CWC also coordinates its replacement projects to coincide with other planned roadway and utility work. The Pennsylvania Department of Transportation is very effective at notifying utilities well ahead of planned state highway projects making coordination of the work an easy process. In each of the municipalities where CWC provides public water service, public officials have a strong record of planning street projects far enough in advance to allow each of the major utilities to upgrade facilities as necessary. CWC will use these meetings and processes as an opportunity to identify lead service lines replacements that can be done in conjunction with other DSIC eligible projects.~~

~~For each project, CWC coordinates all work with the state or local municipality through planning meetings and the permitting process. In addition, CWC utilizes the PA One Call system to minimize utility conflicts and notifies customers of proposed work with door hangers throughout the construction process.~~

# **Exhibit 5**

COLUMBIA WATER COMPANY'S  
STATEMENT IN SUPPORT

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Columbia Water Company for :  
Approval of a Lead Service Line :  
Replacement Program, Related Tariff : Docket No. P-2023-3041845  
Changes, Modification of Long-Term :  
Infrastructure Improvement Plan, and :  
Waiver of Termination Regulations :

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**STATEMENT OF COLUMBIA WATER COMPANY  
IN SUPPORT OF THE JOINT PETITION FOR APPROVAL  
OF UNANIMOUS SETTLEMENT OF ALL ISSUES**

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Columbia Water Company (“Columbia Water” or the “Company”) files this Statement in Support of the Joint Petition for Approval of Unanimous Settlement of All Issues (“Joint Petition” or “Settlement”) entered into by Columbia Water, the Office of Consumer Advocate (“OCA”), and the Office of Small Business Advocate (“OSBA”) (singularly a “Petitioner” and collectively the “Joint Petitioners”). As more fully discussed below, Columbia Water supports the Settlement because it resolves all issues in this proceeding, is in the public interest, and will allow the Company to begin comprehensively replacing lead services lines (“LSLs”) within its service territory. Accordingly, Columbia Water respectfully requests that the Honorable Administrative Law Judges Mary D. Long and Charece Z. Collins (the “Presiding Officers”) recommend approval of, and the Pennsylvania Public Utility Commission (“Commission”) approve, this Settlement, without modification.

## I. INTRODUCTION

The purpose of this proceeding is to ensure that Columbia Water implements a Lead Service Line Replacement Program (“LSLR Program”) that complies with Act 120 of 2018 (“Act 120”)<sup>1</sup> and the Commission’s regulations at 52 Pa. Code §§ 65.51, *et seq.* (“LSLR Regulations”), which collectively address the comprehensive replacement of Company-owned and customer-owned LSLs. The Company filed its Petition for Approval of a Lead Service Line Replacement Program, Related Tariff Changes, Modification of Long-Term Infrastructure Improvement Plan, and Waiver of Termination Regulations (“Petition”), which was accompanied by the Company’s Lead Service Line Replacement Plan (“LSLR Plan”), the Company’s modified long-term infrastructure improvement plan (“Modified LTIP”), a pro forma tariff supplement (“LSLR Tariff Supplement”), and the items required by 52 Pa. Code § 53.52(a).<sup>2</sup> Columbia Water revised its LSLR Program in response to data requests from the Commission’s Bureau of Technical Utility Services (“TUS”).<sup>3</sup> The Settlement seeks to adopt the Company’s Petition as modified in response to TUS data requests with additional modifications to further address the OCA’s concerns. Columbia Water respectfully submits that the Settlement is in the public interest and that the Presiding Officers recommend, and the Commission approve, the Settlement.

To approve a settlement, the Commission must determine that the proposed terms and conditions are in the public interest. *Pa. Pub. Util. Comm’n v. York Water Co.*, Docket No. R-00049165 (Order entered Oct. 4, 2004); *Pa. Pub. Util. Comm’n v. CS. Water & Sewer Assocs.*, 74 Pa. PUC 767 (1991).

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<sup>1</sup> Act of October 24, 2018, P.L. 738, No. 120.

<sup>2</sup> Joint Stipulation, Exhibit 1.

<sup>3</sup> Joint Stipulation, Exhibit 2.

As an initial matter, the fact that the Settlement resolves all issues raised by the parties is, in and of itself, strong evidence that the Settlement is reasonable and in the public interest, particularly given the diverse interests of the Joint Petitioners.<sup>4</sup> The Settlement was also achieved through informal discovery and negotiations over a period of several months. The Settlement reflects a carefully balanced compromise of the interests of the Joint Petitioners, comprehensively addresses the concerns raised by the OCA, and satisfies all legal and regulatory requirements associated with the LSLR Regulations.

Moreover, Commission policy promotes settlements. *See* 52 Pa. Code § 5.231. Settlements lessen the time and expense that the parties must expend litigating a case and, at the same time, conserve precious administrative resources. The Commission has indicated that settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding. *See* 52 Pa. Code § 69.401. Accordingly, the Settlement is in the public interest and should be approved.

## **II. THE SETTLEMENT IS IN THE PUBLIC INTEREST**

### **A. Approval of the Lead Service Line Replacement Petition**

Act 120 of 2018 amended Section 1311(b) of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1311(b), to address Lead Service Line Replacements (“LSLRs”) and the recovery of associated costs. The Commission subsequently adopted its LSLR Regulations at 52 Pa. Code §§ 65.51, *et. seq. Rulemaking to Implement Act 120 of 2018 at 52 Pa. Code Chapters 65 and 66*, Docket No. L-2020-3019521 (Final Rulemaking Order entered March 14, 2022). By Secretarial Letter issued on October 31, 2022, at Docket No. L-2020-3019521, the Commission notified utilities such as Columbia Water (Class A public utilities without Commission-approved

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<sup>4</sup> The Pennsylvania Public Utility Commission’s Bureau of Investigation & Enforcement does not oppose the Settlement.

preexisting LSLR activities) that a petition for approval of a LSLR Program was due on or before July 22, 2023.

Columbia Water timely filed its Petition on July 21, 2023. As required by 52 Pa. Code § 65.54, the Petition was filed with the Secretary's Bureau and copies were served on the OCA, the OSBA, the Commission's Bureau of Investigation and Enforcement, and all parties of record in Columbia Water's most recently completed base rate case. The Petition described the Company's LSLR Program, which included all the elements required by the LSLR Regulations, including a LSLR plan, a Modified LTIP containing the LSLR Plan, a LSLR Tariff Supplement, and the information required by 52 Pa. Code § 53.52(a).

As described below, each of these elements of the Company's LSLR Program, as modified by the Settlement, is consistent with applicable law and is in the public interest because it provides for, *inter alia*, an initial inventory of service lines in Columbia Water's system, provides a process for the prompt replacement of Company-owned and customer-owned LSLs, includes a LSLR Tariff Supplement that establishes rules and requirements for such replacements, and a Modified LTIP incorporating the LSLR Plan. Consequently, the Petition, as modified by this Settlement, should be approved.

**B. Approval of the Lead Service Line Replacement Plan**

Pursuant to the Commission's LSLR Regulations, an applicable entity must file a LSLR Plan that includes: (1) a service line inventory that complies with United States Environmental Protection Agency ("EPA") regulations at 40 CFR 141.1—143.20 and identifies all assumptions; (2) a planning and replacements section explaining, *inter alia*, anticipated sources of financing, the projected number of LSLRs per year, prioritization criteria, processes and procedures upon acceptance and refusal of an LSLR, and the utility's disposal and recycling efforts; and (3) a

communications, outreach, and education section that includes copies of all LSLR documentation and the creation of a website that meets certain regulatory requirements. 52 Pa. Code § 65.56.

The Settlement seeks approval of the Company's LSLR Plan but incorporates modifications the Company made in response to TUS data requests and additional modifications to address specific concerns raised by the OCA. Collectively, the LSLR Plan as modified by the Settlement meets the regulatory requirements for an LSLR Plan.

Specifically, the LSLR Plan as filed by the Company largely met the requirements of 52 Pa. Code § 65.56, including providing an initial service inventory, an extensive planning replacements section, and a communications and outreach section that proposed the creation of a transparent and publicly available LSLR website to enhance customer awareness of the LSLR Program. *See* Joint Stipulation, Exh. 1, Att. 1. In response to data requests issued by TUS, the Company further modified its LSLR Plan to clarify the annual cap on the replacement of customer-owned LSLs and clarify the use of LSLR Project Areas as defined by the LSLR Regulations. *See* Joint Stipulation, Exh. 1, Att. 2. The Settlement provides for the incorporation of these modifications into the LSLR Plan. Settlement ¶ 24. Additionally, the Settlement proposes several additional modifications to the LSLR Plan to further address the OCA's concerns about implementation, which are individually addressed below.

First, the OCA recommended that the Company use multiple methods to raise awareness for the customers and contact customers multiple times over the six-month period once an LSLR Project Area is established to determine whether there are customer-owned LSLs and to verify their presence within the LSLR Project Area, including providing regular communications to customers. OCA Answer at 4. The Settlement provides that the Company will modify its LSLR Plan to ensure that it will contact customers within an LSLR Project Area at least two times over

the six-month period once an LSLR Project Area has been identified, or until the customer responds to the Company, whichever is sooner, to determine whether there are customer-owned LSLs and to verify the presence of the customer-owned LSLs. Customers will initially receive a phone call to set up an appointment for an interior inspection of the service line. Door hangers and/or a mailed letter explaining the health effects of lead and documentation explaining the service line program will be used if the customer cannot be contacted via telephone. Settlement ¶ 25(a). In other words, the Company has agreed to engage in repeated attempts to contact customers once an LSLR Project Area has been identified to identify and locate as many LSLs within a Project Area before it commences construction activities to create economies of scale to the extent possible.

The OCA next sought clarification as to whether replacement filters will be provided until the replacement of a customer-owned LSL, as well as the process and means by which customers will be contacted regarding the receipt of their pitcher-filter. OCA Answer at 7. As set forth in 40 C.F.R. § 141.84(e)(3), the Company must provide the customer with a pitcher filter or point-of-use device certified by an American National Standards Institute accredited certifier to reduce lead, six months of replacement cartridges, and instructions for use *before the replaced service line is returned to service*. 40 C.F.R. § 141.84(e)(3) (emphasis added). Accordingly, the Settlement requires that the Company provide customer(s) affected by an LSLR with a pitcher filter, six months of replacement cartridges, and use instructions approximately thirty days prior to the scheduled LSLR, but no later than the day of the LSLR. The affected customer(s) will be provided a pitcher filter hand delivered by the Company. If there isn't a customer home at the time of delivery, the Company will use a door hanger indicating how a pitcher can be obtained. A follow-up phone call will also be made to the customer to determine whether they received the door hanger

and that they should either pick their pitcher filter up at our main office of 220 Locust St, Columbia PA 17512, or schedule to have someone deliver the pitcher prior to the LSLR. Settlement ¶ 25(b). This ensures that the Company complies with EPA requirements, but also provides additional clarity surrounding how it will accomplish this requirement.

In its Answer, the OCA also was concerned that when a new applicant applies for water service, the new applicant should be offered the same LSLR options as the previous property owner and should not be bound by a previous owner's refusal to replace the LSL. OCA Answer at 8. The Settlement addresses the OCA's concern by modifying the LSLR Plan to ensure that the Company will offer a new customer applying for water service in a household that previously refused a LSLR replacement the option to have Columbia Water replace the customer portion of the LSL to reestablish service. Prior to offering the applicant an LSLR, the Company will verify that the applicant owns the property for which service is requested. Settlement ¶ 25(c). The Company believes this provision is in the public interest because it will allow the Company to remove LSLs that remain in its system due to a previous property owner's refusal and not penalize new customers for that previous owner's refusal.

In its Answer, the OCA also requested that the Company should make its LSLR website and any documentation regarding LSLR available in Spanish and other languages, upon request. OCA Answer at 9. The Settlement provides that the Company will ensure that the Company's LSLR website and all documentation regarding LSLRs will be available in both English and Spanish and, upon request, the Company will provide any/all documentation regarding LSLRs in other languages to customers directly. The Company will also make its translation services available to customers who call the Company's customer service and request translation of the

written information into other languages. Settlement ¶ 25(d). Here, the Company has agreed to go above and beyond what is required under the EPA's regulations, which requires the following:

For public water systems serving a large proportion of non-English speaking consumers, as determined by the State, the public education materials must contain information in the appropriate language(s) regarding the importance of the notice or contain a telephone number or address where persons served may contact the water system to obtain a translated copy of the public education materials or to request assistance in the appropriate language.

40 C.F.R. § 141.85(b)(1). While there is not a large proportion of non-English speakers within its service territory, the Company has agreed to nevertheless make Spanish LSLR documentation available, and additional languages upon request. This enhances overall transparency and communication efforts to all customers, regardless of their primary speaking language.

Next, the OCA stated in its Answer that the Company should commit to developing outreach materials and a plan that will make its customers aware of the reimbursement program, and that any instructions and forms for reimbursement should be mailed physically and electronically to potential eligible customers and owners, along with the forms remaining on the Company's website. OCA Answer at 9. The Settlement addresses the OCA's concern ensuring that the Company will mail Appendix M of the LSLR Plan and a letter detailing eligibility for an LSLR reimbursement and instructions on how to obtain the reimbursement to customers within the LSLR Project Area no later than 30 days after LSLR Project Commencement. Any handout necessary for a customer or owner to receive reimbursement will be mailed physically and electronically mailed to customers and owners, along with the forms remaining available on the company's website, on a reasonable best-efforts basis where the Company has the customer or property owner's email address. Settlement ¶ 25(e). This provision is in the public interest as it will ensure additional communication efforts to inform customers of the existence of eligibility for

reimbursement through multiple communication pathways. The Company has also agreed to electronic mail of these forms, where possible.

Lastly, referring to the Company's post-replacement sampling procedures, OCA recommended that the Company add language to Appendix I of the LSLR Plan confirming the Company's commitment to provide the results of both samples to residents as soon as practicable but no later than three calendar days after becoming aware of the results if the samples exceed 15 parts per billion ("ppb") and within 30 days after receiving the results if none of the follow up 13 samples exceed 15 ppb of lead. OCA Answer at 7. The Settlement adopts that modification. Settlement ¶ 26. This statement was inadvertently omitted from Appendix I of the LSLR Plan and should have been included. The Company agrees to comply with these notification obligations for post-replacement sampling.

The Company's LSLR Plan, modified in response to TUS data requests and as further modified by this Settlement, is attached as **Exhibit 2** to the Joint Petition. The LSLR Plan is in the public interest and complies with the LSLR Regulations. It provides for a comprehensive plan to replace Company-owned and customer-owned LSLs in an efficient and transparent manner. It also addresses the concerns raised by the OCA in its Answer. Accordingly, the LSLR Plan, as modified, should be approved by the Commission, without modification.

### **C. Approval of LSLR Tariff Supplement**

Pursuant to the Commission's Regulations, an applicable entity must file a pro forma tariff supplement that includes tariff rules and regulations addressing, *inter alia*, an annual cap, service line demarcation, partial LSLRs, reimbursements, and warranties. 52 Pa. Code § 65.58. The Settlement seeks approval of the Company's LSLR Tariff Supplement but incorporates modifications the Company made in response to TUS data requests and additional modifications

to address specific concerns raised by the OCA. Collectively, the LSLR Tariff Supplement, as modified by the Settlement meets the requirements of the LSLR Regulations.

Specifically, the LSLR Tariff Supplement as filed by the Company including terms addressing:

- A. An annual cap on LSLRs,
- B. Service line demarcation, including terms defining a customer-owned LSL, specifying that if a shutoff valve is not located along a specific length of pipe within a structure that the Company may install a shutoff valve, and that the Company shall perfect its ownership of its portion of the service line,
- C. Partial LSLRs, including a prohibition on partial LSLRs and immediate termination if the Company discovers a partial LSLR installed after July 30, 2022,
- D. Procedures for when a customer elects to replace their LSLR and required notices, procedures for where there is a non-occupied owner premise and the property owner is non-responsive,
- E. Procedures for when an applicant for water service is seeking service at a property where the owner previously refused an LSLR,
- F. Comprehensive procedures for the reimbursement of LSLRs performed at a customer's expense, and
- G. Terms providing for a warranty of two years ensuring that the materials and workmanship of the replacement and restoration of surfaces consistent with the pro forma tariff supplement are covered up to an amount of \$2,500 per customer consistent.

Joint Stipulation, Exh. 1, Att. 1. In response to data requests issued by TUS, the Company further modified its LSLR Tariff Supplement to clarify the annual cap on the replacement of customer-owned lead service lines and correcting a numbering error. *See* Joint Stipulation, Exh. 1, Att. 2. The Settlement provides for the incorporation of these modifications into the LSLR Plan. Settlement ¶ 29.

Additionally, the Settlement proposes several additional modifications to the LSLR Tariff Supplement to further address the OCA's concerns about implementation. In its Answer, the OCA sought clarification regarding what notice the affected customer and property owners would be given before service is terminated and how many notices they will receive. OCA Answer at 5. Under its LSLR Tariff Supplement as filed, the Company proposed that the Company would first document the LSLR refusal, indicate that refusal will result in termination of service, and notify the affected customer of termination at the time of refusal. The Company will then schedule to replace its portion of the LSL. Once the replacement is scheduled, the Company will notify the Customer(s) in writing of the partial LSLR no later than ten days prior to the scheduled replacement and terminate water service at those locations the day prior to replacing the Company-owned LSL. The Company will then proceed with termination of water service. The Settlement, however, makes one modification requiring that the Company also post a 48-hour notice at the customer's premises prior to the date of termination for refusal to replace the customer-owned LSL. Settlement ¶ 30(a). The Company believes this provision is in the public interest because it provides another opportunity for the customer to be alerted to the imminent termination absent an agreement to replace the customer portion of the LSL.

Additionally, in its Answer the OCA recommended the Company clarify that in multi-resident buildings, each resident will be sent notice of any impending terminations due to LSLR refusal. OCA Answer at 5. The Settlement provides that the Company will modify its LSLR Tariff Supplement requiring it to provide notice pursuant to the LSLR Tariff Supplement to every resident that lives at a multi-residential building that is affected by a termination as a result of an LSLR refusal. Settlement ¶ 30(b). Providing notice to each resident of a multi-residential building

is appropriate to ensure greater awareness of immediate terminations for a property owner's refusal to replace an LSL.

The Company's LSLR Tariff Supplement, modified in response to TUS data requests and as further modified by this Settlement, is attached as **Exhibit 3** to the Joint Petition. The LSLR Tariff Supplement is in the public interest and complies with the LSLR Regulations. It provides for clear rules and regulations surrounding the replacement of LSLs within the Company's service territory, it protects ratepayers by reasonably capping the number of customer-owned lead service lines that will be replaced in a year, protects the Company and its customers financially by ensuring that customer-owned lead service lines are replaced pursuant to a written contract that includes a two-year warranty, and protects customers' health and safety by prohibiting partial replacement of lead service lines. The Commission should direct Columbia Water, pursuant to 52 Pa. Code § 65.55(b)(3), to submit a compliance tariff to the Commission consistent with **Exhibit 3** to the Joint Petition, effective after one day's notice.

**D. Approval of the Modified Long-Term Infrastructure Improvement Plan**

Pursuant to the Commission's LSLR Regulations, an applicable entity that has a Commission-approved LTIIIP shall include with its Petition a modified LTIIIP containing a LSLR plan as a separate and distinct component of the entity's LTIIIP. 52 Pa. Code § 65.54(b). Moreover, pursuant to 52 Pa. Code § 121.3, an LTIIIP must include the following elements:

1. Identification of types and age of eligible property owned and operated by the utility for which it is seeking DSIC recovery.
2. An initial schedule for planned repair and replacement of eligible property.
3. A general description of location of eligible property.
4. A reasonable estimate of quantity of eligible property to be improved or repaired.

5. Projected annual expenditures and means to finance the expenditures.

6. A description of the manner in which infrastructure replacement will be accelerated and how repair, improvement or replacement will ensure and maintain adequate, efficient, safe, reliable and reasonable service to customers.

7. A workforce management and training program designed to ensure that the utility will have access to a qualified workforce to perform work in a cost-effective, safe and reliable manner.

8. A description of a utility's outreach and coordination activities with other utilities, Department of Transportation and local governments regarding the planned maintenance/construction projects and roadways that may be impacted by the LTIIIP.

52 Pa. Code § 121.3(a). The Settlement seeks approval of the Company's Modified LTIIIP but incorporates modifications the Company made in response to TUS data requests.

Specifically, as part of its LSLR Petition, the Company filed a Modified LTIIIP revising its existing LTIIIP to incorporate the proposed LSLR Program. Joint Stipulation, Exh. 1, Att. 1. The Company also addressed each element required under 52 Pa. Code § 121.3. Columbia Water did not propose any other changes to its Commission-approved LTIIIP. In response to a TUS data request, however, the Company revised its LTIIIP to better incorporate the LSLR Program into its existing LTIIIP. No Joint Petitioner raised any concerns with the Company's revised Modified LTIIIP.

Accordingly, the Settlement seeks approval of the Company's Modified LTIIIP, as further revised in response to TUS data requests, which is as **Exhibit 4** to the Joint Petition. Settlement ¶ 35. The Modified LTIIIP complies with the Commission's LSLR Regulations and Chapter 121 of the Commission's regulations, 52 Pa. Code § 121.1, *et seq.* Specifically, it properly addresses the type and age of the eligible LSLs to be replaced, an initial schedule of replacement and repair of LSLs, the location of the property to be replaced, estimates of quantity of LSLs and projected

expenditures for replacements, how such LSLs will be replaced, describing the qualifications of the workforce that will be used to replace LSLs, and the Company's outreach efforts to other local government entities. Accordingly, the Company's Modified LTIP should be approved by the Commission, without modification.

**E. Periodic Reviews of the LSLR Plan**

Under the Commission's LSLR Regulations, entities are required to update the LSLR plan for Commission review at least once every 5 years. 52 Pa. Code § 65.57. Additionally, entities that have a Commission-approved LTIP, such as Columbia Water, the entity shall include a LSLR program report as part of the entity's Annual Asset Optimization plan under 52 Pa. Code § 121.6. The Settlement ensures that the Company will adhere to its obligations under Sections 65.57 and 65.59 of the Commission's LSLR Regulations in accordance with the law. Settlement ¶¶ 36-37). These provisions of the Settlement are in the public interest and should be approved.

**F. Lead Service Line Replacement Rate**

The Settlement provides that The Company agrees to complete replacements of all Company-owned and customer-owned LSLs within ten program years if the Lead and Copper Rule Improvements ("LCRI") rulemaking promulgated by the Environmental Protection Agency is finalized, codified, and becomes law, and requires that water systems complete replacements within ten years. *See National Primary Drinking Water Regulations for Lead and Copper: Improvements (LCRI), 88 Fed. Reg. 84878 (proposed Dec. 6, 2023) (LCRI Rulemaking).* Settlement ¶ 38.

This provision addresses a concern raised by the OCA during its investigation of the Company's filing regarding the potential acceleration of completing all LSLRs within the Company's service territory. Currently, the Commission requires that all Class A water utilities

replace all LSLs within 25 years. 52 Pa. Code § 65.53(a). However, the Company also recognizes that the EPA is currently considering an update to the Lead and Copper Rule called the Lead and Copper Rule Improvements. As part of the LCRI, EPA has proposed requiring replacements of all LSLs within 10 years, subject to certain exemptions. *LCRI Rulemaking*, 88 Fed. Reg. 85064. Accordingly, in recognition of this pending rulemaking, the Settlement provides that the Company will comply with the provisions of the LCRI, including replacing all LSLs within ten program years, if the LCRI becomes law and requires that water systems complete replacements within ten years. For this reason, this provision is in the public interest.

#### **G. Other Necessary Approvals**

The Settlement also provides that the Commission shall issue any other approvals or certificates appropriate, customary, or necessary under the Public Utility Code for Columbia Water to carry out the LSLR Program contemplated in the LSLR Petition in a lawful manner. Settlement ¶ 39.

As part of its Petition, the Company requested waiver of certain termination regulations, if necessary, because it will allow the Company to expedite termination where (1) a customer or property owner refuses Columbia Water's offer to replace the customer-owned LSL, (2) where a neighboring property refuses to allow the Company to access their property to allow the work necessary to replace a customer-owned LSL, and (3) where the Company has reasonable evidence to indicate that a property is being served by a partial LSLR installed after July 23, 2022. Petition ¶ 81. These situations warrant expedited termination because the Commission has already concluded that service through a partial LSL endangers the health and safety of the people that may drink water delivered through the partial LSL.<sup>5</sup> While the Company believes it already has

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<sup>5</sup> Final Rulemaking Order at n.11 ("As stated in the NOPR, in Implementation of Chapter 32 of the Public Utility Code Regarding Pittsburgh Water and Sewer Authority – Stage 1, Docket No. M-2018-2640802 (Order

the necessary authority to expedite its termination process as proposed in its LSLR Tariff Supplement, it seeks waiver of termination regulations to implement the expedited termination procedures contemplated under its pro forma tariff supplement, if necessary.<sup>6</sup>

Given the grave health effects associated with lead in drinking water, the Company submits that its expedited termination procedures are in the public interest, and it be granted any waiver of the Commission's termination regulations to the extent the Commission deems necessary. Moreover, the Company has addressed the OCA's concerns surrounding termination upon LSLR Refusal because it has agreed to post a 48-hour notice at the customer's premises when a customer refuses to replace an LSL, as well as provide the required notices to all customers within a multi-residential building. Settlement ¶ 30.

#### **H. Standard Settlement Terms**

The Settlement contains conditions pertaining to interpretation of its terms, the parties' reservation of rights in the event the Settlement is modified by the Commission, and the procedures that apply. In particular, the Settlement provides that it is conditioned upon the Commission's approval of the terms and conditions contained in this Settlement without modification, and that if the Commission modifies the Settlement, a party may withdraw from the Settlement and proceed with litigation. The Settlement also provides that if the ALJs recommend that the Commission

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entered June 18, 2020), the Commission determined that partial LSLRs are not in the public interest and are not consistent with the statutory requirements of 66 Pa. C.S. § 1501. Id. at 93-94. The Commission noted that “[t]he negative effects of partial service line replacements are well documented in scientific literature” and that “[t]he permanent negative health effects from lead exposure, especially to uniquely vulnerable populations of developing fetuses, infants and children, is explained in the un rebutted testimony of [UNITED's expert witness] Dr. Lanphear.” Id. at 92.”).

<sup>6</sup> As the Company stated in its Petition, refusal to replace and installation of a partial LSLR after July 23, 2022 both constitute a tariff violation that “endanger[s] the safety of a person” and the Company should be allowed to immediately terminate service pursuant to 52 Pa. Code § 56.98(a)(4) (“A public utility may immediately terminate service for any of the following actions by the customer: . . . Violating tariff provisions on file with the Commission which endanger the safety of a person”). Petition ¶ 84.

approve the Settlement without modification, the Joint Petitioners waive their right to file exceptions.

This provision is standard in settlements in Commission proceedings. It protects all the Joint Petitioners by allowing them to withdraw from the Settlement if the Commission modifies the Settlement in a manner that they find unacceptable. This provision makes parties to a Commission proceeding more willing to settle than they otherwise might be. It is therefore in the public interest and should be approved.

### III. CONCLUSION

WHEREFORE, Columbia Water Company respectfully requests that the Honorable Administrative Law Judges Mary D. Long and Charece Z. Collins recommend approval of, and that the Commission approve, the Settlement, including all terms and conditions thereof, without modification, and enter an order consistent with the Settlement and the Joint Proposed Ordering Paragraphs

Respectfully submitted,

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Dated: July 31, 2024

## **Exhibit 6**

THE OFFICE OF CONSUMER ADVOCATE'S  
STATEMENT IN SUPPORT

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Columbia Water Company, Verified Letter :  
Petition for Partial Waiver of Lead Service :       Docket No. P-2023-3041845  
Line Replacement Regulations Due to :  
Absence of Lead Service Lines :

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STATEMENT OF SUPPORT  
OF THE  
OFFICE OF CONSUMER ADVOCATE

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**I. INTRODUCTION**

On July 21, 2023, Columbia Water Company (Columbia or Company or CWC) filed with the Pennsylvania Public Utility Commission (Commission) a Petition seeking approval of a Lead Service Line Replacement Program (LSLR Program) and tariff revisions that will allow it to replace customer-owned lead service lines (COLSL), and to recover those costs as provided in Section 1311(b)(2) of the Public Utility Code, which was added to the Public Utility Code pursuant to Act 120 of 2018. 66 Pa. C.S. § 1311(b)(2). As required by Commission regulations implementing Act 120 of 2018, 52 Pa. Code §§ 65.51-65.62, the Company attached to its Petition a modified Long-Term Infrastructure Improvement Plan (LTIIP).

On August 10, 2023, the Office of Consumer Advocate (OCA) filed an Answer to the Company's Petition. Also on August 10, 2023, the Office of Small Business Advocate (OSBA) filed a Notice of Intervention, Public Statement, and Notice of Appearance. On September 20, 2023, the Commission's Bureau of Investigation and Enforcement (I&E) filed a Notice of Appearance. On October 5, 2023, a telephonic prehearing conference was held before

Administrative Law Judges (ALJs) Mary D. Long and Charece Z. Collins and the parties were directed to e-mail monthly status reports to the ALJs no later than November 9, 2023, December 11, 2023, and January 8, 2024, respectively. By e-mail on January 8, 2024, the parties requested an additional 90 days to discuss settlement. On January 8, 2024, the ALJs issued a prehearing order directing the parties to e-mail monthly status reports to the ALJs no later than February 7, 2024, March 8, 2024, and April 8, 2024, respectively. On April 9, 2024, the parties requested an additional 30 days to discuss settlement. The ALJs granted the parties request and also scheduled a second prehearing conference for June 6, 2024. On June 6, 2024, a prehearing conference was held and the parties informed the ALJs that a unanimous settlement in principle had been reached.

The OCA, one of the signatory parties to the Joint Petition for Settlement (Settlement), finds the terms and conditions of the Settlement to be in the public interest.

## **II. STATEMENT IN SUPPORT**

In its Answer, the OCA made recommendations for the Commission's consideration in reviewing the Petition including the proposed modified LTIP. Specifically, the OCA addressed the following issues: (1) service line inventory; (2) prioritizing lead service line replacements; (3) process and procedures to obtain acceptance of a lead service line replacement; (4) post-replacement procedures; (5) lead service line replacement refusal; (6) publicly accessible website; (7) reimbursement, and; (8) customer outreach.

The proposed LSLR program and plan will allow the Company to recover the costs for LSL replacements, both Company-owned and customer-owned, through its base rates and DSIC. 66 Pa. C.S. § 1311(b)(2). For customers, the LSLR plan has the potential to provide both financial and public health benefits.

Section 1311(b)(2) of the Public Utility Code provides a process to eliminate the individual financial burden for replacing customer-owned LSLs by recovering those costs over the Company's entire customer base. If a customer could not have otherwise afforded the replacement of the line, the customer will be able to maintain essential water service. The lead service line also poses a direct health risk to customers. An LSLR program can protect public health by helping to ensure the timely removal of the customer-owned LSL.

A. Ten Year Replacement Schedule

On November 30, 2023, the U.S. Environmental Protection Agency (EPA) proposed the Lead and Copper Rule Improvements (LCRI), which includes a requirement for water systems to achieve 100% lead pipe replacement within 10 years.<sup>1</sup> Lead service line also poses a direct health risk to customers. An LSLR program can protect public health by helping to ensure the timely removal of the customer-owned LSL.

Under the Settlement, CWC commits to complete replacements of all company-owned and customer-owned LSLs within ten program years if the LCRI rulemaking promulgated by the Environmental Protection Agency is finalized, codified, and becomes law, and requires that water systems complete replacements within ten years. Settlement ¶ 38.

This Settlement provision commits CWC to updating its lead service lines replacement schedule to a ten-year time period once the LCRI becomes law. Replacing lead service lines as soon as practicable is crucial to public safety. Committing CWC to a ten-year replacement time frame once the LCRI becomes law is a step towards ensuring that CWC replaces its lead service lines within a reasonable time frame.

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<sup>1</sup> United States Environmental Protection Agency, Proposed Lead and Copper Rule Improvements, available at: <https://www.epa.gov/ground-water-and-drinking-water/proposed-lead-and-copper-rule-improvements> (previously accessed on July 29, 2024).

B. Customer Outreach

Under the Settlement, CWC will contact customers within an LSLR Project Area at least two times over a six-month period once an LSLR Project Area has been identified, or until the customer responds to the Company, whichever is sooner, to determine whether there are customer-owned lead service lines and to verify the presence of the customer-owned lead service lines. Settlement ¶ 25(a). Customers will initially receive a phone call to set up an appointment for an interior inspection of the service line. *Id.* Door hangers and/or a mailed letter explaining the health effects of lead and documentation explaining the service line program will be used if the customer cannot be contacted via telephone. *Id.*

The OCA recommended in its Answer that CWC's LSLR website and all written material regarding to LSLR be available in a customer's or owner's language upon request. OCA Answer at 9. As indicated in CWC's responses to the OCA's informal discovery, CWC planned to make documents available in English and Spanish. CWC Response to OCA-I-11. CWC further noted that, upon request, CWC will provide any/all documentation regarding LSLR in other languages. *Id.*

As part of the Settlement, CWC will ensure that the Company's LSLR website and all documentation regarding LSLRs will be available in both English and Spanish and, upon request, the Company will provide any and all documentation regarding LSLRs in other languages to customers directly. Settlement ¶ 25(d). Additionally, under the Settlement, CWC will also make its translation services available to customers who call the Company's customer service and request translation of the written information into other languages. *Id.*

This Settlement provision goes beyond CWC's discovery response regarding the Company's outreach to ratepayers who do not understand English. Making CWC's translation

services available to all of its non-English customers enhances the Company's communication efforts regarding this important public health issue. Ensuring that CWC's customers can understand all of CWC's material on this important public health issue was a serious concern of the OCA in negotiating this Settlement.

C. Reimbursement

Under the terms of the Settlement, no later than 30 days after LSLR Project Commencement, the Company will mail its Reimbursement Form (Appendix M of CWC's Petition) and a letter detailing eligibility for an LSLR reimbursement and instructions on how to obtain the reimbursement to customers within the LSLR Project Area. *See* Settlement ¶ 25(e). The Settlement also provides that any handout necessary for a customer or property owner to receive reimbursement shall be mailed physically and electronically mailed to customers and owners, along with the forms remaining available on the company's website, on a reasonable best-efforts basis where the Company has the customer or property owner's email address. *Id.*

Requiring CWC to email customers and property owners on a best efforts basis increases the likelihood that either the customer or the property owner will receive reimbursements. E-mailing customers and property owners the reimbursement form is not required under Chapter 56 of the Commission's regulations. As such, the enhanced communication in the Settlement regarding reimbursement forms should be adopted.

### **III. CONCLUSION**

The adoption of the Settlement results in an LSLRP with enhanced communications, an accelerated replacement schedule, and greater transparency compared to what was originally proposed by the Company. In consideration of the various elements of the Settlement, the OCA finds the Settlement to be in the public interest and in the interest of CWC's customers. For these

reasons and the reasons discussed above, the terms and conditions of the Settlement should be approved by the Commission.

Respectfully submitted,

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## **Exhibit 7**

THE OFFICE OF SMALL BUSINESS ADVOCATE'S  
STATEMENT IN SUPPORT

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of Columbia Water Company** : **Docket No. P-2023-3041845**  
**for Approval of a Lead Service Line** :  
**Replacement Program, Related Tariff** :  
**Changes, Modification of Long-Term** :  
**Infrastructure Improvement Plan, and** :  
**Waiver of Termination Regulations** :  
:

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**STATEMENT OF  
THE OFFICE OF SMALL BUSINESS ADVOCATE  
IN SUPPORT OF THE  
JOINT PETITION FOR APPROVAL OF  
UNANIMOUS SETTLEMENT OF ALL ISSUES**

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**I. Introduction**

The Small Business Advocate is authorized and directed to represent the interests of the small business consumers of utility services in the Commonwealth of Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50. Pursuant to that statutory authority, the Office of Small Business Advocate (“OSBA”) filed a notice of intervention in response to the Petition of Columbia Water Company (“Columbia” or the “Company”) for Lead Service Line Replacement (“LSLR”) Program, Related Tariff Changes, Modification of Long-Term Infrastructure Improvement Plan, and Waiver of Termination Regulations (“Petition”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on July 21, 2023.

The OSBA actively participated in the negotiations that led to the proposed settlement and is a signatory to the Joint Petition for Approval of Unanimous Settlement of All Issues

(“*Joint Petition*”). The *Joint Petition* addresses the issues raised by this office in this proceeding. Therefore, the OSBA submits this statement in support of the *Joint Petition*.

**II. The Commission’s Policy on Settlements**

Section 5.231(a) of the Commission’s regulations, 52 Pa. Code § 5.231(a) (Formal Proceedings; Hearings; Settlement and Stipulations; Offers of Settlement) states, as follows:

It is the policy of the Commission to encourage settlements.

Similarly, Section 69.401 of the Commission’s regulations, 52 Pa. Code § 69.104 (Settlement Guidelines and Procedures for Major Rate Cases – Statement of Policy; General) states, as follows:

In the Commission’s judgment, the results achieved from a negotiated settlement or stipulation, or both, in which the interested parties have had an opportunity to participate are often preferable to those achieved at the conclusion of a fully litigated proceeding.

**III. The *Joint Petition* is in the Public Interest of Columbia’s Small Business Customers**

The OSBA, the Office of Administrative Law Judge (“ALJ”), and the Commission are well aware of the rising costs of utility service for all Commonwealth ratepayers, whether they are residential, small business, or industrial customers. The OSBA’s primary focus in this proceeding has been to ensure that LSLRs proceed at a prudent pace, so as to limit the rate impact of LSLRs on Columbia’s ratepayers, including small business customers.

The *Joint Petition* proposes that Columbia will replace all existing Company-owned and customer-owned lead service lines within 10 years if that deadline is established by the Environmental Protection Agency. *Joint Petition*, Paragraph 38. The OSBA submits that even if the 10-year deadline is implemented, the expected rate impact upon Columbia’s small business

customers will be *de minimis*. Therefore, the OSBA has concluded that the *Joint Petition* has addressed the issue of a prudent replacement rate in a just and reasonable manner.

**IV Conclusion**

Therefore, for the reasons set forth in the *Joint Petition*, as well as the factors that are enumerated in this statement, the OSBA supports the proposed *Joint Petition* and respectfully requests that the ALJ and the Commission approve the *Joint Petition* in its entirety.

Respectfully submitted,

/s/ Steven C. Gray  
Steven C. Gray  
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Dated: July 31, 2024

## CERTIFICATE OF SERVICE

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

### BY ELECTRONIC MAIL ONLY:

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*/s/ Phillip D. Demanchick Jr.*

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Whitney E. Snyder  
Thomas J. Sniscak  
Phillip D. Demanchick Jr.

Dated this 31<sup>st</sup> day of July, 2024.