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August 13, 2024

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

VIA ELECTRONIC FILING

**RE: Petition of Deer Haven, L.L.C. Requesting an *Ex Parte* Emergency Order Allowing Aqua Pennsylvania, Inc. to Act as a Receiver to Operate the Deer Haven Water and Sewer Systems
Docket No. P-2024-3050549**

Dear Secretary Chiavetta:

This letter is in response to the Secretarial Letter dated August 7, 2024, in the above-referenced proceeding ("Secretarial Letter"). The Secretarial Letter denied the Petition for Ex Parte Emergency Order filed by Deer Haven, L.L.C. ("Deer Haven") on August 1, 2024 ("Petition").

The purpose of this letter is to inform the Pennsylvania Public Utility Commission ("Commission") of intervening developments relevant to the Petition. On August 7, 2024, Environmental Service Corp. ("ESC") informed Deer Haven that it would be terminating service as operator effective August 9, 2024, due to a past due balance on the account (See Appendix A). Notwithstanding recent payments towards the outstanding balance, ESC terminated service on August 9, 2024, leaving Deer Haven without a certified operator.

Additionally, Deer Haven's financials continue to deteriorate to the point where the organization is considering declaring bankruptcy.

For the reasons stated above, Deer Haven requests that the Commission reconsider its disposition of the Petition.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Adeolu A. Bakare', written over a white background.

Adeolu A. Bakare
MCNEES WALLACE & NURICK LLC

Counsel to Deer Haven, L.L.C.

cc: Hayley E. Hinken, Esq., Assistant Counsel, Law Bureau (hhinken@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of Section 1.54 (relating to service by a participant).

VIA E-MAIL OR FIRST-CLASS MAIL

<p>Office of Consumer Advocate 555 Walnut Street 5th Floor Forum Place Harrisburg, PA 17101-1923 ra-oca@paoca.org</p>	<p>Office of Small Business Advocate NazAarah Sabree Small Business Advocate Commonwealth of Pennsylvania Forum Place 555 Walnut Street, 1st Floor Harrisburg, PA 17101 ra-sba@pa.gov</p>
<p>Bureau of Investigation and Enforcement Allison C. Kaster, Esq. Pennsylvania Public Utility Commission Commonwealth Keystone Building P. O. Box 3265 Harrisburg, PA 17105-3265 akaster@pa.gov</p>	<p>Dept. of Environmental Protection Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 RA-epwater@pa.gov RA-epwaste@pa.gov</p>
<p>Dept. of Environmental Protection Rachel Carson State Office Building 400 Market Street Harrisburg, PA 17101 RA-epwater@pa.gov RA-epwaste@pa.gov</p>	<p>Pike County Planning Commission 506 Broad Street Milford, PA 18337 planning@pikepa.org</p>
<p>Pike County Commissioners 506 Broad Street Milford, PA 18337 mosterberg@pikepa.org rschmalzle@pikepa.org ccaceres@pikepa.org</p>	<p>Palmyra Township 115 Buehler Lane Paupack, PA 18451 administrator@palmyrapike.org</p>

<p>Palmyra Township Planning Commission 115 Buehler Lane Paupack, PA 18451</p>	<p>Pocono Water Works, Inc. Joseph R. Bonamico Sr., President Box 189 Hamlin, PA 18427 jbona@aol.com</p>
<p>Mark Shaw – Counsel for Pocono Lakefront, Inc., Pocono Utilities, LLC Mark J. Shaw, Esq. MacDonald Illig 100 State St. Suite 700 Erie, PA 16507 mshaw@mijb.com</p>	<p>Aqua Pennsylvania Marc A. Lucca, President 762 W. Lancaster Avenue Bryn Mawr, PA 19010 MALucca@aquaamerica.com</p>
<p>Aqua Pennsylvania Kimberly Joyce, Esq. Vice President Regulatory Counsel & Corporate Secretary 762 W. Lancaster Avenue Bryn Mawr, PA 19010 KAJoyce@essential.co</p>	



Adeolu A. Bakare

Counsel to Deer Haven, L.L.C.

Dated this 13th day of August, 2024, in Harrisburg, Pennsylvania.

Bakare, Adeolu

From: Tara Roche <Tara@esc-pa.com>
Sent: Wednesday, August 7, 2024 9:35 AM
To: Bakare, Adeolu
Cc: Sam Shahar; Ryan Detweiler; McCaulley, Errin; Crystal Emmons; salah.mekrawy1@gmail.com; Caitlyn Hendricks; Cale Hendricks; Cody Hendricks
Subject: RE: 'EXTERNAL'RE: DEER HAVEN- Final Notice

[EXTERNAL]

Good Morning, Ade.

There is still an outstanding balance of approximately \$34,000.
ESC has been incurring the cost to operate the WWTP which is no longer an option.

As of Friday 8/9/2024, ESC is suspending all services to Deer Haven WWTP including removal of Operator Licenses.

Thank You

Tara Roche

Environmental Compliance Manager
DEP License 304400
Office: 570-341-6738
Cell: 570-499-0306 (Best way to reach me)
tara@esc-pa.com

"High Quality water is more than the dream of the conservationists, more than a political slogan. High quality Water, in the right quantity, at the right place, is essential to health, recreation, and economic growth"

**Please note our mailing address has recently changed to PO Box 156 Scranton, PA 18504
Please use this address for any/all mailings.

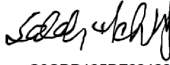


From: Tara Roche
Sent: Monday, July 1, 2024 11:02 AM
To: Bakare, Adeolu <ABakare@mcneeslaw.com>
Cc: Sam Shahar <samshahar@yahoo.com>; Ryan Detweiler <ryan@esc-pa.com>; McCaulley, Errin <EMccaulley@mcneeslaw.com>; Crystal Emmons <c.emmons@esc-pa.com>; salah.mekrawy1@gmail.com; Caitlyn

VERIFICATION

I, Salah Mekkawy, hereby depose and state that I am a member of Deer Haven, L.L.C. and that the averments set forth in the foregoing letter are true and correct to the best of my knowledge, information and belief. This Verification is made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to intentional falsification to authorities.

Dated: August 13, 2024 | 4:16 PM EDT

Signed by:

C6CDD185DE68428

Salah Mekkawy
Member
Deer Haven, L.L.C.