



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

IN REPLY PLEASE  
REFER TO OUR FILE

August 21, 2024

Docket No. P-2024-3050248

Utility Code 213110

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RE: Petition of Aqua Pennsylvania, Inc as receiver for Venango Water Company for  
Approval of the Lead Service Line Replacement Program for Venango Water Company  
at Docket No. P-2024-3050248

Dear Attorneys Stahl, Hassell, and Rulli:

On July 22, 2024, Aqua Pennsylvania, Inc. (Aqua) as receiver for Venango Water Company (Venango) filed the above-captioned document (Petition) with the Pennsylvania Public Utility Commission (Commission). For the Commission to complete its analysis of the filing, please respond with the information requested in the attached document.

Please forward the information to the Secretary of the Commission at the address listed below **within ten (10) business days** from the date of this letter. All documents requiring notary stamps must have original signatures. The Commission strongly encourages submission through efilings with the Secretary of the Commission by opening an efilings account through the Commission website and accepting eservice at <https://efiling.puc.pa.gov>. The Commission is accepting all public documents through our efilings system at this time.

If your filing contains confidential material, you are required to either file by overnight delivery or submit to the Secretary's Share Point File system to ensure the timely filing of your submission. Filers should contact the Secretary's Bureau in advance to gain access to the Share Point File system. Make sure to reference the Docket Number listed above when filing your response. The overnight address for hard-copy or confidential responses is:

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

**Please note your answers must be verified per 52 Pa. Code § 1.36.** Accordingly, you must provide the following statement with your responses:

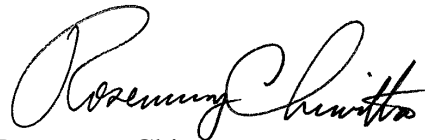
*I, [print name of appropriate company representative], hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made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

Signature \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

Please contact the below staff person if any problems should arise that prevent a full response within ten business days or if any clarification of these data requests is needed. Please mark the materials “CONFIDENTIAL” in bold or highlighted manner if any of the requested information is deemed to be of a confidential nature.

In addition, to expedite completion of the review, please send a copy of the response to Matthew T. Lamb, P.E. in the Water/Wastewater Section of the Bureau of Technical Utility Services via e-mail at [mlamb@pa.gov](mailto:mlamb@pa.gov). Please also direct any questions to Matthew Lamb at telephone number (717) 783-1001. Thank you in advance for your cooperation.

Sincerely,



Rosemary Chiavetta  
Secretary

Enclosure: TUS Data Request Set 1

cc: Patrick Cicero, Office of Consumer Advocate (w/enclosure), [ra-oca@paoca.org](mailto:ra-oca@paoca.org)  
Christine Hoover, Office of Consumer Advocate (w/enclosure), [choover@paoca.org](mailto:choover@paoca.org)  
NazAarah Sabree, Office of Small Business Advocate (w/enclosure), [ra-sba@pa.gov](mailto:ra-sba@pa.gov)  
Rebecca Lyttle, Office of Small Business Advocate (w/enclosure), [relyttle@pa.gov](mailto:relyttle@pa.gov)  
Allison Kaster, Bureau of Investigation & Enforcement (w/enclosure), [akaster@pa.gov](mailto:akaster@pa.gov)

TUS Data Request Set 1

Petition of Aqua Pennsylvania, Inc as receiver for Venango Water Company for Approval of Venango Water Company's Lead Service Line Replacement Program at Docket No. P-2024-3050248

Note: Please restate the data request prior to providing a response. In addition, provide the name and title of the person(s) providing the response and/or information for each data request.

P-1. Exhibit A of Venango's Petition for a Lead Service Line Replacement Program (LSLR Program) included a copy of its Lead Service Line Replacement Plan (LSLR Plan). On Page 5 of the LSLR Plan, Aqua indicated that the Venango service line inventory (Service Line Inventory) with location identifiers is being developed and will be incorporated into and available on Aqua's website as further described in the LSLR Plan Section II.C.2. Please provide a revised LSLR Plan clarifying the following:

- a. Pursuant to 52 Pa. Code § 65.56(a)(1), submit a current copy of the Service Line Inventory in a live electronic spreadsheet format;
- b. Quantify the projected annual expenditure to complete the Service Line Inventory;
- c. Clarify that until the Service Line Inventory is complete, Aqua shall provide updates to the inventory as part of its annual Venango LSLR program report; and
- d. Clarify that after the Service Line Inventory is complete, it will be incorporated into Aqua's next Venango LSLR plan update.

P-2. In the LSLR Plan Section II.A.2, Table 1, indicated that the Service Line Inventory includes approximately 403 service lines classified as lead status unknown. Please provide responses to the following:

- a. Provide an estimate of the number of company-owned and customer-owned service lines that Venango plans to have inventoried on annual basis to determine the material type of the unknown material service lines along with a target date for completion;
- b. Quantify the projected annual expenditure to complete the Inventory; and
- c. Provide a revised LSLR Plan that includes an updated Service Line Inventory Section.

## TUS Data Request Set 1

### Petition of Aqua Pennsylvania, Inc as receiver for Venango Water Company for Approval of Venango Water Company's Lead Service Line Replacement Program at Docket No. P-2024-3050248

- P-3. In the LSLR Plan Section II.B.4., Aqua indicated that when it uncovers a company-owned LSL while completing emergency repairs to the Venango system, Aqua will replace the Venango service line up to the curb stop, which will reveal the customer-side material. The LSLR Plan indicated that if the customer-owned portion of the service line is lead, then Aqua will contact the customer/owner and provide them with information and materials. This provision appears to allow for partial LSLRs depending on the success of contacting the customer and obtaining permission to concurrently replace the customer-owned LSL. Additionally, pursuant to 52 Pa. Code § 65.62, the Commission notes that any repair of a known or discovered LSL would be considered a partial LSLR and is strictly prohibited. Correspondingly, the Commission also notes that a water main replacement or repair, regardless of whether the main replacement activities were planned or an emergency, that reveals a LSL would require a complete LSLR prior to the service line being placed back into service as the reconnection of a LSL to a new main segment or a new company-owned service line would be considered a partial LSLR. Please provide responses to the following:
- a. Clarify whether Aqua will maintain the proper equipment and tools necessary for its staff, or if it intends to maintain third party contracts, to complete emergency LSLRs; and
  - b. Submit a revised LSLR Plan that includes Aqua's processes and procedures to address emergency repairs or replacements which reveal LSLs that eliminates any partial LSLRs and that fully describes Aqua's procedures to fulfill its duty to communicate to customers and/or property owners that failure to allow Aqua to complete the LSLR or to replace the customer-owned LSL concurrent with Aqua replacing the main or company-owned service line will lead to termination of water service.
- P-4. In the LSLR Plan Section II.B.5., and Section 4.C. of the *pro forma* Tariff Supplement, provided separately as Supplement No. 25 To Water - Pa. P.U.C. No. 3, Aqua indicated that it is proposing to use "Step In Rights" if it has not received acceptance after multiple efforts to contact the property owner and obtain a replacement agreement. Please explain the legal standard under which Aqua would be permitted to complete a LSLR under the undefined "Step In Rights".
- P-5. In the LSLR Plan Section II.B.10., Aqua indicated that during a LSLR project, if the resident/property owner refuses to replace a LSL, and Aqua has either made contact with the resident/property owner and they refuse, or where the resident/property owner is non-responsive to the Company's requests as described in Section II.B.5 to replace the customer LSL, Aqua will initiate termination procedures. This proposed procedure does not appear to include the requirements of Section 65.56(b)(10)(ii) of the Public Utility Code, 52 Pa. Code § 65.56(b)(10)(ii), which requires the entity to 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

TUS Data Request Set 1

Petition of Aqua Pennsylvania, Inc as receiver for Venango Water Company for Approval of Venango Water Company's Lead Service Line Replacement Program at Docket No. P-2024-3050248

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. Please provide a revised LSLR Plan that complies with Section 65.56(b)(10)(ii).

- P-6. In the LSLR Plan's Exhibit I, Lead Service Line Replacement Information Sheet, Aqua indicated it is permitted to perform up to 1,500 customer-owned LSLRs per year. However, the LSLR Plan indicated that Aqua will cap the number of LSLRs completed in the Venango water distribution system at 10. Please provide a revised Exhibit I that clarifies Aqua's proposed cap on replacements per year either specifically for Venango's system or specified separately for Aqua and receiver systems (i.e., Venango and Twin Lakes).
- P-7. The LSLR Plan does not appear to clarify that Aqua shall make reasonable best efforts to assist a customer/owner, through the reimbursement process and, to the extent possible, make determinations in favor of the customer/owner where the customer or property owner has provided reasonable evidence of a LSLR to the entity. Pursuant to 52 Pa. Code § 65.58(d)(3), an entity shall make reasonable best efforts to assist a customer or property owner, if the customer is not the property owner, through the reimbursement process and, to the extent possible, make determinations in favor of the customer or property owner where the customer or property owner has provided reasonable evidence of a LSLR to the entity. Please provide a revised LSLR Plan that clarifies that Aqua will assist Venango customers through the reimbursement process.