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File #: 207586

September 4, 2024

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Petition of The York Water Company for Approval of its Lead Service Line
Replacement Program
Docket No. P-2024-3050273**

Dear Secretary Chiavetta:

Enclosed on behalf of The York Water Company (“York Water”), are responses to the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Technical Utility Services (“TUS”) Data Requests, Set I, in the above-referenced proceeding.

The Company notes that its updated Service Line Inventory, which is Attachment P-1-2 to these responses, is too large to submit as a PDF. As such, the Company is uploading the Excel version of Attachment P-1-2 to the Commission’s ShareFile. The parties to this proceeding will be provided with the Excel version of Attachment P-1-2.

Copies of this request will be provided per the attached Certificate of Service.

Respectfully yours,



Megan E. Rulli

MER/dmc
Enclosures

cc: Matthew Lamb (*via email; w/attachments*)

Rosemary Chiavetta, Secretary
September 4, 2024
Page 2

Certificate of Service

CERTIFICATE OF SERVICE


I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL

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Date: September 4, 2024



Megan E. Rulli

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

- P-1. Exhibit A of The York Water Company's (York Water's) Petition for a Lead Service Line Replacement Program (LSLR Program) included a copy of its Lead Service Line Replacement Plan (LSLR Plan). The LSLR Plan's Service Line Inventory Section does not identify the assumptions used in its service line inventory (Inventory). Pursuant to 52 Pa. Code § 65.56(a)(4), an entity shall identify assumptions in its service line inventory to the Commission. Please provide a revised LSLR Plan that identifies the assumptions used by York Water in its Inventory.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

York Water's Inventory, as submitted with its LSLR Plan, does not include any assumptions. When an updated Inventory is submitted to the Pennsylvania Department of Environmental Protection ("DEP"), York Water's Inventory will include a limited number of assumptions and will include details of those assumptions those when submitted. York Water will update the Inventory with the Commission concurrently at that time. Attached as **Attachment P-1-1** is a revised LSLR Plan (without the appendices) explaining that no assumptions were made in its service line inventory attached to the LSLR Plan as Appendix C. Also attached as **Attachment P-1-2** is an updated Appendix C for the LSLR Plan, which contains revisions made to the Inventory since the LSLR Petition was filed in July.



**“That good York water”
SINCE 1816**

**THE YORK WATER COMPANY
LEAD SERVICE LINE REPLACEMENT PLAN**

Original Plan Effective March 16, 2017

Updated September 2024



TABLE OF CONTENTS

Introduction	1
Definitions	2
Pro Forma Tariff Supplement	2
Final Commission Order	2
Service Line Inventory	3
Lead Service Line Replacements	4
Lead Monitoring – Water Quality	6
Prioritization Plan	6
Replacement Process	8
Recycling and Disposal	10
Plan Financing	10
Acquisitions	11
Communications, Outreach, and Education	11
Conclusion	16

THE YORK WATER COMPANY
LEAD SERVICE LINE REPLACEMENT PLAN

Updated July 2024

Introduction

Effective March 16, 2017, The York Water Company (“York Water” or the “Company”) became the first Class A water utility in the Commonwealth to receive Pennsylvania Public Utility Commission (“Commission”) approval to pay for customer-owned lead service line replacements (“COLSLR”) and to recover the costs of COLSLRs in future rate proceedings, as provided in the Commission-approved settlement at Docket No P-2016-2577404. Since March 16, 2017, York Water has implemented its Lead Service Line Replacement Plan (“LSLR Plan”) in accordance with its compliance tariff supplement submitted pursuant to that Commission-approved settlement (“LSLR Tariff Supplement”). A copy of the LSLR Tariff Supplement is attached hereto as **Appendix A**. The complete York Water tariff can be found at: www.yorkwater.com/wp-content/uploads/tariff.pdf.

York Water has a 2016 Consent Order and Agreement (“COA”) in place with the Pennsylvania Department of Environmental Protection (“PA DEP”). This COA required York Water to replace all known Company-owned lead services lines (“LSL”) (approximately 1,660 LSLs) by the end of 2020. York Water completed the replacement of all of its Company-owned LSLs by the end of 2018, compressing the replacement schedule from four years to two. York Water provided quarterly progress reports to PA DEP through June 2022, at which point, all *known* Company-owned LSLs and customer-owned LSLs connected thereto had been replaced. York Water continues to replace LSLs throughout its system as set forth herein.

The material terms of the LSLR provisions in the LSLR Tariff Supplement include:

- York Water shall make payments toward the cost of up to 400 customer-owned lead service line replacements annually;
- York Water shall provide a 24-month warranty to the customer or property owner on the workmanship and materials of the LSLR and the restoration of surfaces, which warranty shall be an amount up to the cost of the repair or replacement, not to exceed \$10,000.00 per LSLR;
- Replacements will be processed/completed on a first-come-first-served basis; provided that if water test results reveal an exceedance of 15 parts per billion (“ppb”), then York Water may prioritize such customer for replacement;
- Reimbursements will be provided for customers or property owners who paid for replacement of a customer-owned LSL within one year (before or after) the



commencement of a LSLR Project, the amount of which may be up to 125% of the average costs of York Water’s LSLRs, not to exceed customer’s actual cost, as confirmed in accordance with the York Water Tariff¹;

- The LSLR Tariff Supplement shall be effective until March 8, 2037; and
- Provisions for reporting, customer education and outreach, and evaluation of funding opportunities of customer-owned LSLRs.

This LSLR Plan contains the all the elements and supporting documents as required by Section 65.56 of the Commission’s regulations, 52 Pa. Code § 65.56. Citations to the relevant regulatory provisions are provided herein.

Definitions

Refer to the York Water tariff definitions and the definitions contained in 52 Pa. Code §§ 65.1 and 65.52. See also the Company’s *pro forma* tariff supplement attached hereto as **Appendix B**.

Pro Forma Tariff Supplement [52 Pa. Code § 65.55(b)(2)]

The most significant revision in this LSLR Plan to the LSLR Tariff Supplement is the proposed extension of the time period for York Water to complete the replacement of LSLs in its service territory and to complete its Service Line Inventory. The proposed and updated *pro forma* tariff supplement is attached hereto as **Appendix B**. This supplement retains the terms of the 2017 LSLR Tariff Supplement provisions but proposes to extend the end of the LSLR program from 2026 to 2037, includes a 24-month warranty, and incorporates new regulatory requirements reflected in this Plan. The Plan extension reflects the regulatory limits and will allow York Water to complete this extensive, capital intensive work while helping to mitigate the rate impact on customers. The Company fully anticipates completing its LSL inventory and replacement work before the 2037 date. However, York Water seeks to update its Plan as allowed and mandated by current requirements.

¹ York Water’s Pro Forma Tariff requires the customer or property owner provide the Company with a paid invoice, a certification or verified statement from a certified plumber, or other documentation required by the Company to verify replacement. YWC Pro Forma Tariff, **Appendix B**, Section 3.4.1.7.



Upon Commission approval of this LSLR Plan, York Water will include the LSLR Plan in a modified LTIP as a separate and distinct component of the LTIP. [52 Pa. Code § 65.54(b)] The revision to the LTIP will incorporate by reference the then current LSLR Plan Update properly approved by the Commission. This self-actuating incorporation will minimize the need to revise the LTIP multiple times in the future to incorporate the most current LSLR Plan Update.

Final Commission Order [52 Pa. Code § 65.55(c)]

The Commission issued a Final Order on March 8, 2017, authorizing York Water to replace customer LSLs until 2026 under the Plan set forth in Tariff Supplement No 122. If York Water seeks to further update or revise its LSLR Plan beyond the update to the LSLR Tariff Supplement contained in **Appendix B** hereto, the Company is required to submit such Plan revisions to the Commission in a subsequent base rate case. [52 Pa. Code § 65.55(d)]

Service Line Inventory [52 Pa. Code § 65.56(a)(1)]

York Water has been working to compile an accurate Service Line Inventory since 2017. A current copy of the Service Line Inventory is attached hereto as **Appendix C**. The Service Line Inventory currently identifies the material of 26,453 customer-owned service lines, including:

- 5 lead service lines
- 0 galvanized requiring replacement lines
- Approx. 4,543 copper lines
- 58 PVC lines
- Approx. 21,754 not lead lines
- 51,711 unknown material

The total number of customer-owned service lines in the York Water Systems is approximately 78,164.

The above summary reflects the current state of the Service Line Inventory. However, York Water continues to reduce the percentage of unknown customer-owned service lines and replace the lead service lines in the system. York Water has utilized certain historic records,



including building construction data, field notes and observations, and customer observations and documentation, in compiling its current inventory. York Water is also utilizing various sources of information, including the year the home/structure was built and acquisition records documenting service line material from sellers. Moreover, York Water has record of the Company's last documented use of lead for service lines, which provides a reliable historic cut-off date for the Company-owned service line material. The inventory currently does not include assumptions by the Company.

This Service Line Inventory will go live to the public and will be available on the Company's corporate website no later than October 16, 2024. It will comply with the U.S. Environmental Protection Agency ("U.S. EPA") regulations and will be updated as regulatory requirements evolve in future years. The Service Line Inventory identifies material types on both the Company-owned and customer owned sides of the service lines and it can be sorted digitally. Until the Service Line Inventory is complete, York Water will provide detailed information regarding the progress of its service line inventory as part of its annual LSLR program report under Section 65.56. Further, after York Water's Service Line Inventory is complete, it will be incorporated into the Company's next LSLR Plan Update under Section 65.67.

Further, this Service Line Inventory database was connected to the Company's Geographic Information System ("GIS") in 2024, which allows for: (1) spatial tracking and data entry by field personnel across the Company; and (2) efficient management of replacement projects. The GIS pulls data in weekly from the customer information database. York Water is working now to determine whether it can make the communication functionality exist in both directions, so that the customer information database can pull information from the GIS as well. If York Water can accomplish this functionality, the Company will better align the two sets of data.

As York Water acquires new systems, the Company has created a policy and practice through which it confirms the location and works to identify the service line material and diameter of each service line being added to the York Water system. This information is entered into the GIS by Engineering and Operations personnel.

Lead Service Line Replacements [52 Pa. Code § 65.56(b)]

Annual data related to LSLRs completed since 2017 is as follows:



Year	Customer-Owned LSLRs Completed	Company-Owned LSLRs Completed
2017	144	135
2018	137	104
2019	322	21
2021	68	14
2022	32	6
2023	36	5

The average cost of a Company-owned LSLR is \$1,752, and the average cost of a customer-owned LSLR is \$2,233, which reflect the current averages since the Company began replacing LSLs in 2017. In accordance with York Water’s LSLR Tariff Supplement, the Company is authorized to conduct up to 400 customer-owned LSLRs per year. York Water does not plan to alter that ceiling in the tariff, unless the Company’s experience with confirmation of lead services changes and, as a result, York Water sees a significant increase. If this occurs in future years, York Water will adjust the numbers provided above, from average costs to the annual replacement cap. Although the Company has seen a decrease over the past few years in the number of customer-owned lead services that have been found, the Company will budget approximately \$1 million annually to account for the up to 400 customer-owned LSLRs per year under the LSLR Tariff Supplement. However, the Company generally anticipates approximately 150 LSLRs will be completed annually, based on the Company’s experience in investigating approximately 4,000 services per year, since 2016. The ability to flex up to 400 replacements anticipates a much higher incidence of lead services than what the Company experienced in the past nine years. If the findings begin to challenge the 400 replacements per year set forth in this Plan Update, York Water will revise these numbers in the future with a revised Plan filing. [52 Pa. Code § 65.56(b)(1) and (b)(2)]

Prior to the Company’s recent efforts to engage customers and the communities in its LSLR efforts, customer interest in investigating their service lines was modest. However, the Company’s continued persistent communications plan for lead and copper service lines should continue to improve the responsiveness from the customer base. A copy of the current portion(s) of the Communications plan is attached as **Appendix D**.



Lead Monitoring – Water Quality

Pursuant to 52 Pa. Code § 65.59(b)(11), York Water complies with all applicable lead monitoring requirements established by the PA DEP for each of the Company’s distribution systems. The most recent Lead and Copper Rule Sample Results, from 2022, are attached hereto as **Appendix E**. Because York Water has been complying with lead monitoring requirements for more than six consecutive monitoring cycles/periods, the Company is on a reduced triennial monitoring schedule for lead (every 3 years). [52 Pa. Code § 65.59(b)(10); 25 Pa. Code § 109.1103 (Monitoring Requirements)] The next round of monitoring will begin in 2025. Additionally, Water Quality Parameter (“WQP”) samples are collected and reported to the PA DEP on a quarterly basis to ensure the Company continuously meets and ensures optimized corrosion control treatment (“OCCT”) is maintained throughout the year. All WQP samples have been at the correct levels over the past year, indicating that the OCCT has been consistently maintained. York Water has not had any violations, excursions, exceedances, or failures of treatment, related to lead over the past year.

Prioritization Plan: In 2018, prioritization planning began when York Water identified particular portions of its water service territory where lead services are more likely to exist. Pursuant to that, The City of York, Spring Garden Township and Springettsbury Township were identified and targeted for customer education and post card notifications.

Also in 2018, the Company undertook an ambitious plan to replace all pre-1940 water main in its system, which includes joints and services. That was a 10-year priority plan, and the Company is working in year 5 of that project scope. York Water is approximately 50% done with implementing this replacement project.

To date, York Water has acted immediately when customer-owned or Company-owned LSLs are located, with replacement occurring either immediately or within one to two weeks of confirmation. As a result, the Company has not experienced a significant backlog of replacement projects that require sorting for priority action or response. However, if the Company does reach a point where it cannot act as quickly on all confirmed LSLs, York Water has identified the following prioritization factors to apply in order to determine response priority [52 Pa. Code § 65.56(b)(3)]:



- **Immediate Response – Water Test Results:** Where a water test result reveals an exceedance of 15 ppb, York Water prioritizes these replacements for immediate response pursuant to Rule 3.4.2.4 of the Company’s tariff.
- **Immediate Response – Field Discovery:** York Water continues to prioritize the replacement of LSLs upon field discovery during construction. See **Appendix F**, York Water Standard Operating Procedure.
- **Factor – Oldest Portions of Service Territory:** Service lines within the oldest parts of the Company’s system, including Hellam Borough and Township, Mount Wolf Borough, Manchester Borough and Township, North York Borough, Spring Garden Township, Springettsbury Township, West York Borough, West Manchester, and York City. York Water personnel have heightened awareness to assist in identifying LSLs while conducting daily work and construction activities in these areas. Any LSLs discovered in these areas are replaced on site immediately or within two weeks, depending upon context of the confirmation.²
- **Factor – Lines Identified by Customer Surveys:** LSLs identified by customers through the Company’s community outreach surveys and customer service contacts. These customers are exhibiting heightened interest and concern regarding their service line material due to their action. York Water’s current policy is to respond and replace LSLs within 30 days of confirmation, where possible.
- **Factor – Environmental Justice Areas:** Across York Water’s service territory, the Company has seven areas designated by the Commonwealth as Environmental Justice areas, which have been added to the York Water GIS. These Environmental Justice areas include Manchester Borough, North York Borough, Spring Garden Township, Springettsbury Township, West Manchester Township, West York Borough, and York City. York Water prioritizes these service areas because these customers rate high in a 30+ point screen for communities that contain and are exposed to higher levels of environmental contaminants. Environmental Justice areas contain a more racially and culturally diverse and economically challenged population compared to regional and statewide averages. Because lead is an

² This language does not indicate a “partial replacement,” but rather temporary repair in catastrophic response event, with full replacement immediately thereafter. This has not occurred in York Water’s system, but there may be circumstances where a repair must be made until equipment or materials can be mobilized to the site.



environmental contaminant that effects public health and educational/cognitive performance, York Water believes it can best support the health and wellbeing of its communities by prioritizing the identification and replacement of LSLs in these areas. Lead exposure may occur from other sources, but York Water’s LSLR efforts can offer support to these customers today.

- **Factor – Elementary Schools and Child Care Facilities:** These facilities serve a particularly sensitive portion of the population that is more vulnerable to the negative effects of lead by ingestion at lower exposure thresholds than the average citizen.
- **Factor – Sensitive Populations:** Where customers residing in a property with a LSL include either elderly (over 70 years) or young children (up to 6 years), these lines will be prioritized for replacement to prevent further exposure to these sectors of the population due to the documented impact on these populations.

The current work plan map for LSLRs is included in **Appendix F** to this LSLR Plan. It is expected that York Water will initiate targeted service line investigation in the areas marked on the map beginning in 2025.

Replacement Process: Customers who have LSLs are notified via letter, copies of which are included in **Appendix F**. The overall Standard Operating Procedure for the York Water Replacement process and an accompanying Process Flow Chart are also included in **Appendix F** to this LSLR Plan. Generally speaking, York Water will adhere to industry accepted practices in the replacement of service lines, both Company- and customer-owned. In addition, the Company will require Company personnel and its contractors to comply with any applicable plumbing codes related to customer-side service line replacement. Further, consistent with industry-accepted practices, LSLs will be replaced using open trench excavation or trenchless pull/piercing methods where site conditions allow [52 Pa. Code § 65.56(b)(8)].

As the **Appendix C** documents indicate, upon discovery of a lead service line, the LSLR process is tracked from the date of discovery through the completion of the LSLR with the use of GIS and a shared spreadsheet. Also tracked in York Water’s system is the provision of a customer flushing credit to encourage and incentivize flushing water lines. Once an LSL is



identified, notification is sent to the appropriate departments, the flushing credit is applied from the date of discovery, and replacement is then prioritized. Below is an overview of the Company's processes and procedures to obtain acceptance prior to LSLR commencement [52 Pa. Code § 65.56(b)(5)-(6)]:

- A replacement agreement is provided to and obtained from the homeowner or property owner. A copy of the Replacement Consent Agreement is attached hereto as **Appendix G**. [Fully described below and in Appendices, 52 Pa. Code § 65.56(b)(6)(iii)-(iv)]
- Lead information is provided to the customer along with an offer to sample the water and send it to an accredited lab for testing.
- Following replacement, the same lead information and offer for water sampling are provided to the customer, and the flushing credit is continued for six months after replacement.
- If the customer or landowner refuses to agree to the replacement, York Water will assign a Customer Service Manager to talk with that customer or landowner to encourage agreement, provide a complete disclosure of the Known Hazards of Lead disclosure (**Appendix H** hereto) and will document in the LSLR Inventory the result of that contact. If the contact is not the customer, the customer will be notified by mail, including a notification letter explaining that the customer or landowner will have to replace the LSL within one year to be eligible for reimbursement and providing the customer or landowner with the known health hazards of lead disclosure. [52 Pa. Code §65.56(b)(10)(ii)-(iii)] The Company also will inform the customer and property owner, if the customer is not the property owner, that the failure to allow the Company to complete the LSLR or to replace the customer-owned LSL concurrent with the entity replacing the entity-owned LSL will lead to termination of water service.³ If the Customer Service Manager is able to obtain agreement or the landowner or customer changes their decision, the company will proceed with its process to have the service replaced. Otherwise, the service replacement will be marked "refused," and the Company may move forward with termination of service.

³ To the best of the Company's knowledge, York Water has not had to terminate water service for this reason to date.



The same process is used in an emergency situation, where contact with the responsible party can be obtained. York Water moves forward with haste to complete the replacement at the time the repair is executed. In limited circumstances, if an LSL is subject of an emergency (temporary) repair where it must be placed back into service temporarily, the full replacement will be completed within 1-2 weeks. As explained in footnote 2, *supra*, this does not mean that the Company will make a partial replacement, but rather a temporary repair in catastrophic response event with full replacement immediately thereafter. To be clear, York Water does not undertake any partial LSLRs and never has done so since initiating its LSLR program in 2016, and this LSLR Plan does not allow for partial replacements either. Although such a catastrophic response event requiring a temporary repair has not occurred in York Water's system, there may be circumstances where a repair must be made until equipment or materials can be mobilized to the site.

Recycling and Disposal [52 Pa. Code § 65.56(b)(7)]

York Water has a metals recycling program in place. The Company collects all recyclable metals, including lead, at its Distribution Center facility in a dedicated location. Once that container is full, it is brought to a local metal recycler. At this time, York Water is investigating whether selection of one recycling partner is beneficial and more efficient for our recycling procedures. This material includes lead service material, for which York Water is paid approximately \$0.50/lb,⁴ depending upon the commodity market. Depending upon the metals markets, the Company's metal recycling program generates approximately \$30,000 annually, which will be used to help fund the LSLR Program, which is recorded as operating revenue and is part of the total revenue requirement in rate cases.

Plan Financing

All customer-owned LSLR projects since 2017 have been recorded as a regulatory asset. The costs are initially funded through the Company's internally-generated funds or through line of credit borrowings. Costs incurred through the 2018 base rate case were included in rates and amortized over four years. Costs incurred from that point through the 2022 base rate case are included in rates and are being amortized over four years (currently). Costs incurred

⁴ This is a rough estimate, as metals are commodities, and the recycling rates change daily.



since that point are included as a regulatory asset and will be included in the next base rate case. Due to the percentage of York Water customers located in Environmental Justice areas across the Company's service territory, York Water plans to apply to PENNVEST to provide supporting funding of a certain percentage of the service line replacements over the next 5 years.

Acquisitions [52 Pa. Code § 65.56(a)(2), (b)(9)]

York Water has been enhancing its acquisition process through deeper collaboration between personnel in Departments across the Company. The Company's due diligence is divided into two major phases: (1) during negotiation of the Asset Purchase Agreement ("APA"); and (2) between APA and Closing. In Phase 1, York Water seeks to gather all documentation and records available related to the assets from the seller and other public records. In this phase, some sellers will provide York Water with historic information related to service lines, construction plans, and system mapping, if available. Under Phase 2, if the seller is unable to produce sufficient records or the records provided are not reliable, York Water will conduct a physical inspection of the facilities and will work to map all of the assets and load the findings into GIS. Service line material and location are included in Phase 2 and in the information sent to GIS.

Under this LSLR Plan, York Water will follow the process described above and as described in more detail in **Appendix E**.

With respect to prior acquisitions, generally pre-2023, the Company may not currently have confirmed service line material data or information. With respect to those acquisition assets, York Water will GPS locations of all newly added service lines in its GIS and will add these new services to the overall total of customer service lines in the Service Line Inventory. However, going forward, the Company does not anticipate creating a high percentage of new 'unknown' service lines in the Service Line Inventory.

Communications, Outreach and Education [52 Pa. Code § 65.56(c)]

Documents, materials and links from York Water's lead service line communications and outreach program are attached hereto in **Appendix D**. From 2016 to present, York Water has disseminated and made available lead information disclosure information and information



regarding lead service line replacements, including pamphlets, bill stuffers, website content, press releases, media spots (print and television). Detailed instructions and a convenient QR code link have been made available to customers via one page guide, poster, post card and municipal letter/websites. The survey tool and website information have been made available on nearly all materials, from the survey, one page guide, poster, post card, paper and paperless bill messaging, website pop-up, email to customers, municipal and customer letters, and in all social media posts.

Until late 2023, all of this work and content was conducted absent an in-house communications professional. The Company's existing management staff created and implemented the Plan, as represented in part in **Appendix D** hereto.

In the fourth quarter of 2023, York Water hired a communications professional in-house who has been responsible for updating and refreshing the Company's lead information disclosure and LSLR program messaging, educational materials, and the manner of and frequency with which the Company communicates with customers and the public regarding the LSLR program. As of January 2024, the following has been added to the Company's LSLR Plan communications program:

- **Between 2016-2024**
Public outreach, educational content, customer communications, and information issued related to lead services is provided in **Appendix D**.

- York Water has included the following message on printed bills **January 2024-July 2024** and on paperless bills **July-September 2024** (2 billing cycles):
"We need your help to identify the material of your service line. Please visit www.yorkwater.com/water-quality/service-line-survey to learn more and to submit your information. If you have any questions, The York Water Company Customer Service team is available at customer.service@yorkwater.com or by calling 717-845-3601."

- In January 2024, York Water launched a new website that contained enhanced lead information disclosure and lead service line program information. This information can be found at the following links:
 - <https://www.yorkwater.com/water-quality/lead-information/>
 - <https://www.yorkwater.com/water-quality/service-line-survey/>



- In March 2024, a number of specific communication tools were launched on the Company's website – www.yorkwater.com:
 - March 25, 2024, a customer survey was issued and QR code linked to website to allow customers to fill out survey related to service line material.
 - The Company added a new page with specific information relating to and providing more information about the Service Line Survey.
 - The Company added a one-page guide: How to Check York Water Service Line for Lead (this was condensed and refined from prior information).
- Also in March 2024, several specific community-based communication tools were prepared:
 - A poster with a QR code to guide customers directly to the Service Line Survey.
 - A flyer on Lead and the Company's LSLR program, to be handed out to customers and at community events such as Go Green in York City.
 - A post card was created with a QR code for community and customer distribution.
- Beginning in April 2024, weekly internal meetings have been held between the Director of Special Initiatives and Communications regarding continued refinements and enhancements to the LSLR Plan communications and education action plan. These meetings will continue weekly, for now, but may be shifted to bi-monthly as the Service Line Inventory project progresses.
- In April 2024 the Company initiated active distribution of the new community communication tools at volunteer/community opportunities and at its main office.
- Community Opportunities for flyers and engagement, including the opportunity to answer questions related to the LSLR efforts:
 - April 2024 – Go Green in the City
 - York Fair – July 19-28
 - York Central Market August/September 2024
 - Sasquach Run September 2024
 - First Friday Events August, September, October (will resume in Spring)



- On June 24, 2024, a pop-up notification was added to the website. This provides a direct link to the Service Line Survey page for every site visitor.
- On June 26, 2024, a letter was sent to all 53 municipalities within the York Water service territory requesting that they share *Helpful Resources* with the residents on their respective websites in an effort to support completion of the Service Line Survey. As of July 11, 2024, a number of municipalities have already supported the request. Some examples include:
 - The Township of Manchester, York County:
<https://www.mantwp.com/york-water-company-service-line-inventory/>
 - Reading Township, Adams County:
https://reading.adamscountypa.gov/getmedia/9a68d6d1-6c76-4579-8bd7-33ea743c2131/YWC-Municipality-Letter_June-2024.pdf
 - Hanover Township, York County:
<https://www.hanoverboroughpa.gov/CivicAlerts.aspx?AID=391>
- On June 28, 2024, a multi-week social media campaign specific to the completion of the Service Line Survey was launched:
 - Posts on Facebook, Instagram and Twitter
 - One unique post will be shared every two weeks as a reminder and to encourage the completion of the Service Line Survey.
 - The planned posts under this social media campaign are scheduled as follows - Post 1: June 30, Post 2: Monday July 8, Post 3: July 24, Post 4: August 6, Post 5: August 22, Post 6: September 5, and Post 7: September 16
- On July 1, 2024, an email blast requesting support from customers to complete the Service Line Survey was issued to customers, which included a link to a detailed letter with directions on how to identify service line material. This customer contact resulted in over 800 customer responses, and over 200 customer calls to our Customer Service Department regarding LSLRs. Below is the text of the email:

*"Dear York Water Customer,
We need your help to identify your service line. This line is owned by you, but we would like to replace it if it is lead at no cost to you. We have prepared detailed instructions on how to check your service line in this letter and on The York Water Company website here.*



If you are unable to identify the service line or cannot access the information online, The York Water Company team is ready to support. Contact our Customer Service team at customer.service@yorkwater.com or by calling 717-845-3601.

We thank you for your trust and continued support.

Sincerely,

The York Water Company

- In the summer of 2024, follow up calls to municipalities began in an effort to confirm collaboration and support in public outreach and education. Additionally, York Water forwarded the *Lead Information* handout to municipalities via email.
- In August 2024, the Company conducted media outreach regarding the LSLR program and partnered with willing media outlets to gain television and press coverage of issues related to lead, including the dangers of lead and the Company's LSLR Plan.
- A message notification will be included on digital bills issued for the July/September 2024 billing cycles.
- In August 2024, a second email was sent to customers reminding them to complete the Service Line Survey.
- Ongoing and repeat social media reminders with survey links will occur every two weeks and then every month after October 16, 2024.
- Additional actions or activities specifically focused toward:
 - Updates to both the lead information and service line survey pages on www.yorkwater.com.
 - Creation of more engaging tools to encourage customers to participate in the survey.
 - Areas with lower customer response but older systems.
 - Targeted mailing to day care facilities with *Lead Information* and link to survey.
 - Targeted mailing to school district superintendents with *Lead Information* and link to survey.



- September 2024, additional media outreach with a structured demonstrative story will be developed.

More tools and strategies will be developed as the program to complete the replacements continues, until ultimate identification and elimination of all lead service lines is accomplished. Plan Updates like this one will be submitted annually going forward. York Water has been doing this work and enhancing the Company's program since 2016, and York Water will continue to do so.

Conclusion

York Water has been working persistently and consistently since 2016 on its LSLR Program. The Company has experienced vacillating customer interest in the program but hopes that sustained and creative efforts will enable the completion of the Service Line Inventory. The Company's ability to replace LSLs when encountered has been both beneficial and efficient and has prevented the accumulation of backlog replacement projects. The Company anticipates that with enhanced public communication, York Water will see an increase in identified customer-owned LSLs over the next 5 years.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

- P-2. The LSLR Plan's Service Line Inventory Section indicated that York Water's current Inventory has approximately 49,300 service lines of unknown material. Please provide responses to the following:
- a. Provide an estimate of the number of company-owned and customer-owned service lines that York Water 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.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

- a. York Water has inventoried approximately 4,000 Company-owned and customer-owned service lines annually over the past 5 years. Over the next 10 years, the Company anticipates inventorying approximately 4,930 service lines annually.
- b. York Water estimates approximately \$7.5 million will be spent on vacuum excavating annually to pursue inventory confirmations over the next 10 years. This amount may be reduced over time, as the Company gains more information and reduces the unknown portions of the system.
- c. See response to P-1.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

P-3. The LSLR Plan's Lead Service Line Replacements Section indicated that York Water generally anticipates approximately 150 LSLRs will be completed annually. However, York Water set its LSLR cap at 400 LSLRs annually. 52 Pa. Code § 65.56(b)(2) requires that an entity's LSLR Plan include the projected number of LSLRs per year with an explanation of how the entity's projection was determined and a statement that this number is consistent with the entity's annual cap on LSLRs. Please submit a revised LSLR Plan that includes an explanation of how the projected number of LSLRs per year was determined and a statement that this number is consistent with the entity's annual cap on LSLRs.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

The estimate of 150 LSLRs per year is consistent with the work that York Water has carried out and with required LSLRs completed since 2016. This estimate represents the number of lead service lines ("LSLs") that the Company has discovered and replaced annually throughout its system. Although portions of the Company's system are old (historic), in the Company's experience, much of that infrastructure has proven to not be lead in. The LSLR Plan cap of up to 400 LSLRs per year provides flexibility to replace that number of LSLs if necessary, while the 150 annual projection represents the number of actual replacements performed annually under the Company's existing LSL program. See **Attachment P-1-1** for the updated LSLR Plan, which includes an explanation of how the Company's projection was determined and a statement as to whether the number is consistent with the Company's annual cap on LSLRs.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

P-4. The LSLR Plan's Replacement Process indicated that once an LSL is identified, notification is sent to the appropriate departments, the flushing credit is applied from the date of discovery, and replacement is then prioritized. Please clarify why York Water is not including the provision of pitcher filters to all customers with identified LSLs until the completion of a LSLR as part of the process. If applicable, provide a revised LSLR Plan that includes the provision of pitcher filters.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

York Water is providing a flushing credit of 200 gallons per month from the time an LSL is confirmed until 6 months post-replacement. The credit will be included with the notification of the LSL with instructions as to how and why customers should flush their system before use until the LSL is replaced. The Company anticipates that for the majority of LSLRs, the period of time between notification and replacement will be less than two weeks. York Water believes a flushing credit for this focused period of time provides greater control, certainty, and benefits to customers. The extended period of flushing credits is also more protective than the pitcher filter or point of use ("POU") device – as the Company cannot be not certain that either device would be used. Notwithstanding, York Water would comply with 40 C.F.R. § 141.85(f)(2) if the disturbance of a lead, galvanized requiring replacement, or lead status unknown service line results from the replacement of an inline water meter, a water meter setter, or gooseneck, pigtail, or connector.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program at Docket No. P-2024-3050273

- P-5. The LSLR Plan's Replacement Process Section indicated that the same process is used in an emergency situation, where contact with the responsible party can be obtained and York Water moves forward with haste to complete the replacement at the time the repair is executed. This provision appears to allow for partial LSLRs depending on the success of contacting the customer and obtaining permission. Additionally, pursuant to 52 Pa. Code § 65.62, the Commission notes that any repair of a known or discovered lead service line (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 York Water will maintain the proper equipment and tools necessary for its staff, or if it intends to maintain third party, to complete emergency LSLRs; and
 - b. Submit a revised LSLR Plan that includes York Water's processes and procedures to address emergency repairs or replacements which reveal LSLs that eliminates any partial LSLRs and that fully describes York Water's procedures to fulfill its duty to communicate to customers and/or property owners that failure to allow York Water to complete the LSLR or to replace the customer-owned LSL concurrent with York Water replacing the main or company-owned service line will lead to termination of water service.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

- a. York Water will and does maintain the proper tools and equipment for York Water to perform emergency LSLRs and has on-call third party contractors who supplement equipment, materials and personnel where needed.
- b. The York Water Company does not undertake any partial LSLRs and never has done so since initiating its LSLR program in 2016. This LSLR Plan does not allow for partial replacements. In limited circumstances, if an LSL is subject of an emergency (temporary) repair where it must be placed back into service

temporarily, the full replacement will be completed within 1-2 weeks. See **Attachment P-1-1** for an updated LSLR Plan that includes York Water's processes and procedures to address emergency repairs or replacements which reveal LSLs that eliminates any partial LSLRs and that fully describes York Water's procedures to fulfill its duty to communicate to customers and/or property owners that failure to allow York Water to complete the LSLR or to replace the customer-owned LSL concurrent with York Water replacing the main or company-owned service line will lead to termination of water service.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

P-6. Pursuant to 52 Pa. Code § 65.54(b) an entity with a Commission approved Long-Term Infrastructure Improvement Plan (LTIIIP) is to include with its Lead Service Line Replacement (LSLR) program petition a modified LTIIIP containing a LSLR plan as a separate and distinct component of the entity's LTIIIP. While York Water filed a copy of its proposed LSLR Plan at the LTIIIP docket P-2021-3028879, York Water does not appear to have modified its LTIIIP in any way. Specifically, the LTIIIP's Table 7, and discussion of LSLs on Page 7 were not modified. Please provide a Modified LTIIIP that incorporates York Water's LSLR Plan.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

The Company does not believe that any substantive changes are needed for York Water's LTIIIP to incorporate the Company's LSLR Plan as filed. Table 7 of the LTIIIP, which sets forth the "Services by Material," continually changes as the Company installs or acquire additional Company-owned service lines. The Company has replaced the Company-owned lead service lines identified in 2021 and continues to replace unknown service lines when they are determined to be lead. At most, the Company believes that a sentence could be added to the end of Point 7 "Lead service lines" on page 7 of the LTIIIP, stating that "York Water's Lead Service Line Replacement ('LSLR') Plan approved at Docket No. P-2024-3050273 is incorporated herein by reference." However, depending on how the litigation over the Company's LSLR Petition at Docket No. P-2024-3050273 progresses, there remains a possibility that other changes could be needed to the Company's LTIIIP. Thus, York Water believes it would be appropriate to submit the Modified LTIIIP incorporating any necessary changes to the LTIIIP upon Commission approval of the LSLR Petition.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

- P-7. In Paragraph 25 of the LSLR Program, York Water indicated that it would update its Service Line Inventory as progress is made on completing the inventory and as new water systems are acquired. Additionally, on Page 15 of the LSLR Plan, York Water indicated that updates to York Water's LSLR Plan communications program would be provided annually. Please submit a revised LSLR Plan that clarifies the following:
- a. That until the inventory is complete, York Water shall provide detailed information regarding the progress of its service line inventory as part of its annual LSLR program report under § 65.59 (relating to LSLR program reports); and
 - b. After York Water's service line inventory is complete, it will be incorporated into the entity's next LSLR plan update under § 65.57 (relating to periodic review of LSLR plan).

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

- a. See **Attachment P-1-1** for a revised LSLR Plan clarifying that York Water will provide detailed information regarding the progress of its Inventory as part of its annual LSLR program report.
- b. See **Attachment P-1-1** for a revised LSLR Plan clarifying that York Water will incorporate its completed Inventory into its next LSLR plan update.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

- P-8. In the LSLR Plan’s Communications, Outreach and Education Section, York Water identified the communication, outreach, and education efforts it has completed to date and identified the information regarding lead service lines (LSLs) available on its website. The LSL information identified as being provided on York Water’s website appears to be silent on reimbursements and information and resources relating to health risks associated with lead. Per 52 Pa. Code §§ 65.56(c)(2)(ii) and (iv), A Class A public utility or an authority shall develop a LSLR section of its website within 12 months of Commission approval of its LSLR program. The website must contain information regarding reimbursement requirements and information and resources relating to health risks associated with lead. Please revise the LSLR Plan to indicate that within 12 months of approval of its LSLR program:
- a. York Water will provide reimbursement information on its website; and
 - b. York Water will provide information and resources relating to health risks associated with lead and LSLs on its website.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

- a. York Water has updated its website to provide information regarding LSLR reimbursements. See <https://www.yorkwater.com/water-quality/service-line-survey/>
- b. York Water has updated its website to include information and resources relating to health risks associated with lead and LSLs. See <https://www.yorkwater.com/water-quality/lead-information/>

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

- P-9. The LSLR Program's Exhibit B included a copy of York Water's *pro forma* tariff supplement (Pro Forma Tariff). The Pro Forma Tariff appears to omit several requirements of Section 65.58 of Title 52. Please submit a revised Pro Forma Tariff that includes language indicating the following, as applicable:
- a. The specific length of pipe within a structure referenced in Rule 3.4.2.5., in inches or feet, for the purposes for York Water's LSLR Program;
 - b. That York Water will perfect its ownership of the portion of the service line located within the then-existing right-of-way in conformance with its Commission-approved tariff to ensure that York Water can obtain necessary permits during the planning phase of a LSLR project;
 - c. That neither a customer nor a property owner may install a partial LSLR. A partial LSLR must result in termination of service until such time as the entity can replace the entity-owned LSL under § 65.62 (relating to prohibition on partial LSLRs);
 - d. That the customer or property owner, if the customer is not the property owner, shall provide York Water at least 90 days' notice prior to replacing the customer-owned LSL;
 - e. Whether or not York Water will establish a process to address replacement of a customer-owned LSL to avoid termination of service when a property owner who is not the customer is nonresponsive to an entity's offer to replace a customer-owned LSL;
 - f. That York Water shall not connect an applicant for water service to the York Water-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 an entity'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 where applicable or a verified statement from a licensed contractor attesting to completion of the LSLR;
 - g. An explanation of York Water's method for determining the amount of reimbursement, including any restrictions on reimbursements; and
 - h. An explanation of York Water's reimbursement methods, including the forms of payment to be used by York Water to distribute reimbursements and the defined number of days by which York Water will issue a reimbursement for an eligible reimbursement request.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

A revised Pro Forma Tariff reflecting these changes is attached hereto as **Attachment P-9-1**.

THE YORK WATER COMPANY

RATES, RULES AND REGULATIONS

GOVERNING THE DISTRIBUTION OF WATER IN

THE CITY OF YORK

BOROUGHES OF EAST PROSPECT, GLEN ROCK, HALLAM, JACOBUS, JEFFERSON, LOGANVILLE, MANCHESTER, MOUNT WOLF, NEW FREEDOM, NEW SALEM, NORTH YORK, RAILROAD, SEVEN VALLEYS, SHREWSBURY, SPRING GROVE, WEST YORK, YORK HAVEN AND YORKANA, AND TOWNSHIPS OF CODORUS, CONEWAGO, EAST MANCHESTER, HELLAM, HOPEWELL, JACKSON, LOWER WINDSOR, MANCHESTER, NEWBERRY, NORTH CODORUS, NORTH HOPEWELL, PARADISE, SHREWSBURY, SPRINGGETTSBURY, SPRINGFIELD, SPRING GARDEN, WASHINGTON, WEST MANCHESTER, WEST MANHEIM, WINDSOR, AND YORK, IN YORK COUNTY, PENNSYLVANIA, AND THE BOROUGHES OF ABBOTTSTOWN AND CARROLL VALLEY, AND TOWNSHIPS OF BERWICK, CUMBERLAND, OXFORD, HAMILTON, READING, MOUNT PLEASANT, UNION, AND STRABAN IN ADAMS COUNTY, PENNSYLVANIA, AND TOWNSHIPS OF GREENE, HAMILTON, AND LETTERKENNY IN FRANKLIN COUNTY, PENNSYLVANIA, AND TOWNSHIP OF WEST DONEGAL IN LANCASTER COUNTY, PENNSYLVANIA.

ISSUED: XXXX

EFFECTIVE: XXXX

By: Joseph T. Hand
President and CEO
130 East Market Street
York, Pennsylvania



NOTICE

(See Page No. 2)

Supplement No. XXX
To
Water-Pa. P.U.C. No. 14
XXXXX Revised Page No. 2

The York Water Company
York, Pennsylvania

Canceling
XXXXX Revised Page No. 2

LIST OF CHANGES MADE BY THIS SUPPLEMENT

This tariff supplement makes changes to incorporate the changes necessary to implement the Lead Service Line Replacement Program approved at Docket No. P-2024-3050273.

**Supplement No. XXX
To
Water-Pa. P.U.C. No. 14
XXXXX Revised Page No. 3
Canceling
XXXXX Revised Page No. 3**

**The York Water Company
York, Pennsylvania**

TABLE OF CONTENTS

	<u>Page</u>	
Title Page	Supplement No. XXX	(C)
List of Changes Made by This Supplement	2 XXXXX Revised	(C)
Table of Contents	3 XXXXX Revised	(C)
Table of Contents	4 Seventh Revised	
Table of Contents	5 Eleventh Revised	
Table of Contents	6 One Hundred Twenty-seventh Revised	
1. Definitions	7 Fourth Revised 7(a) Fifth Revised 7(b) First Revised	(C)
2. Application for Service		
2.1 Application Required	8 First Revised	
2.2 Application Required	8 First Revised	
3. Service Connections		
3.1 Company Service Line	9 Original	
3.2 Temporary Service Connection	9 Original	
3.3 Company's Service Line in Advance of Street Improvement	10 Sixth Revised	
3.4 Customer's Service Line	10 Sixth Revised	
3.4.1 Lead Service Line Replacements	10 Sixth Revised	(C)
3.5 Separate Trench Required	10(c) First Revised	
3.6 Tampering with Curb Stop	11 Original	
3.7 Renewal of Service Line	11 Original	
3.8 Location Change	11 Original	
3.9 Use of Service	11 Original	
3.10 Use of Service	12 First Revised	
3.11 Upgrade/Extension of Service	12 First Revised	
3.11.1 Definitions	12 First Revised	
3.11.2 Extension of Service to Bona Fide Service Applicant	13 First Revised	
3.11.3 Financing of Customer Advance	14 First Revised	

(C) Indicates Change

ISSUED: XXXXX

EFFECTIVE: XXXXX

The York Water Company
York, Pennsylvania

RULES 1. Definitions (Continued) (C)

Service Line Valve:	A device owned, maintained and controlled by the Company that can be turned to an opened or closed position for the purpose of controlling the supply of water to a mobile home unit and is comparable in function, ownership and responsibility to a curb stop.
Lead Service Line:	A Company-owned service line made of lead or a Company-owned service line with a lead pigtail, lead gooseneck or other lead fitting which extends from the Company's main to the curb, property line or entity connection. A galvanized service line (iron or steel piping that has been dipped in zinc to prevent corrosion and rusting) 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.
Customer-Owned Lead Service Line:	The portion of the lead service line extending from the curb, property line or entity connection to the Company's water meter or, if the Company's meter is located outside of the structure or water is not metered by the Company, at the first shutoff valve located within the interior of the structure.

(C) Indicates Change

The York Water Company
York, Pennsylvania

RULES (Continued)

3. Service Connections (Continued) (C)

Company's Service Line in Advance of Street Improvement

- 3.3 If the Owner of a parcel of ground desires a service line installed to the curb in advance of street improvement and/or where there is no present demand for a supply of water, such Owner may be required to make a payment which will not exceed the estimated cost of installing the Service Line, which payment shall be refunded if and when service is initiated. All or any part of the payment that is not refunded within 10 years following the payment to the Company will be retained by the Company.

Customer's Service Line

- 3.4 Each Customer's Service Line shall be installed and maintained by or on behalf of such Customer at his expense. The Company may specify the size, kind and quality of the material used in the Customer's Service Line and may approve the location and depth thereof, and it shall be equipped at an accessible point within the Premises with a stop and waste cock of a pattern and material approved by the Company.

Failure to maintain the Customer Service Line may be grounds for termination of service.

Lead Service Line Replacements

- 3.4.1 For customer-owned lead service line replacements conducted on or after the Commission's approval of the Company's LSLR Petition filed on July 23, 2024, the Company (or contractors employed by the Company) shall replace Customer-Owned Lead Service Lines ("COLSLs") pursuant to the Company's Lead Service Line Replacement Program ("LSLR Program"), provided the customer (or the property owner if the customer is not the property owner) provides consent through a signed agreement. Replacements of COLSLs completed prior to the Commission's approval of the Company's LSLR Petition shall remain subject to and governed by the terms and conditions of the Commission's Order entered at Docket No. P-2016-2577404 and the Company's then-effective tariff. All LSLR costs shall be recorded as a regulatory asset in compliance with the National Association of Regulatory Utility Commissioners uniform system of accounts and shall be recoverable in future rate proceedings.

(C) Indicates Change

RULES (Continued)**3. Service Connections (Continued) (C)**

3.4.1.1 Under the LSLR Program, York Water shall only make payments toward the cost of up to 400 COLSL replacements each year; provided, however, that York Water may petition the Commission to increase this number if it demonstrates that 400 per year is inadequate to replace all requests for replacement. In the event fewer than 400 COLSL are replaced in a year, the difference between 400 and the actual number replaced shall be added to the number of replacements that may be undertaken in subsequent years. In the event the number of eligible replacements exceed the number of replacements authorized under this Rule 3.4.2.3, York Water will process requested replacements on a first-come, first served basis; provided, however, that if water test results reveal an exceedance of 15 parts per billion ("ppb"), then York Water may prioritize such customer for replacement. If reimbursements would cause the Company to exceed its current annual cap, the Company shall increase its current annual cap by the amount of the reimbursement and decrease its next annual cap by this amount.

3.4.1.2 If no shutoff valve exists along the pipe along a specific length of pipe within a structure within 5 feet of the Customer's structure wall, the Company may install a shutoff valve which will serve as the point of demarcation between the property's service line and the property's interior water distribution piping.

3.4.1.3 No customer or property owner may install a partial LSL. A partial LSL shall result in termination of service until such time as the Company can replace the Company-owned LSL. A customer, or property owner where the customer is not the property owner, that elects to replace the COLSL themselves, shall replace the COLSL concurrent with the Company replacing the Company-owned LSL, provided that the customer or property owner shall provide the Company at least 90 days' notice prior to replacing the COLSL.

3.4.1.4 The Company shall refuse to establish service to a property where a customer or property owner (if the customer is not the property owner) has previously refused or failed to accept the Company's offer to replace the COLSL until the applicant verifies the replacement of the COLSL by providing a paid invoice from a licensed contractor or a certification or verified statement from a certified plumber, or other documentation required by the Company attesting to the completion of the COLSL replacement. The customer or property owner may also request York Water (or its contractor) complete the COLSL replacement. Upon completion, service will be established or restored to the property.

(C) Indicates Change

RULES (Continued)**3. Service Connections (Continued) (C)**

3.4.1.5 Through the LSLR Program, the Company will perfect its ownership of the portion of the service line located within the then-existing right-of-way in conformance with its Commission-approved tariff to ensure that York Water can obtain necessary permits during the planning phase of a LSLR project.

3.4.1.6 The Company may utilize Step In Rights in the following circumstances where a customer or occupier of a premises is not the property owner. The Company is authorized to replace a COLSL when:

- a. The Company has attempted to contact the property owner with an offer to replace the COLSL in accordance with the Company's LSLR Plan.
- b. The Customer or the occupier of the Property is not the property owner.
- c. The Company has attempted to get authorization to replace the COLSL, the property owner cannot be identified, or the property owner has been notified and has not responded to the Company's offer to replace the COLSL.

In these circumstances, the Company may, in its discretion, replace the COLSL in accordance with the Company's LSLR Plan if such replacement would avoid the termination of water service to the Customer or the occupier of the property without obtaining the consent of the property owner. When the Company exercises Step In Rights, the Company, its officers, directors, employees and agents are released and held harmless from and against any and all liability, including liability to third parties and the property owner, for personal injury, including death, property damage, or other actions, damages, fines, penalties, claims, demands, judgments, losses, costs, expenses, suit and actions (including reasonable attorney's fees), for personal injury, including death, property damage or other injury, to the extent caused by or arising out of the work performed by the Company or its agents in replacing the COLSL.

3.4.1.7 The Company shall provide a reimbursement to an eligible customer or property owner, if the customer is not the property owner, who replaced their LSL within 1 year before or after the commencement of a Lead Service Line Replacement ("LSLR") Project. A LSLR Project shall be defined as a Company scheduled lead service line replacement activity either in conjunction with main replacements, or a specific delineated project area to replace LSLs. LSLR Project Commencement shall be defined as installation of the first lead service line replacement within a lead service line project area. LSLR Project Area shall be defined as the area encompassing the Company's scheduled lead service line replacement activities, which includes the area within a 1-mile radius of a LSLR Project, if that area is served by the Company.

(C) Indicates Change

RULES (Continued)**3. Service Connections (Continued) (C)**

Reimbursements to customers or property owners, if the customer is not the property owner, require that the customer or property owner provides the Company with a paid invoice, a certification or verified statement from a certified plumber, or other documentation required by the Company, in its sole discretion, to verify the replacement. Failure to provide sufficient information will result in no reimbursement being paid. The Company shall reimburse eligible customers or property owners up to 125% of the average costs of York Water's LSLRs, not to exceed the actual cost incurred by the customer to replace their LSL. The average cost of York Water's LSLRs in any year will be determined by the average cost of York Water LSLRs in the prior calendar year. Reimbursements will be provided to customers or property owners through check mailed to the customer or property owner within 90 days of the request; provided that all documentation is sufficient and received by the Company. Customers or property owners that are outside the LSLR Project Area or seek reimbursement for a replacement that occurred greater than one year before or after the LSLR Project Commencement will be ineligible for reimbursement.

3.4.1.8 The Company (or its contractor) shall provide a warranty to the customer or property owner, if the customer is not the property owner, for a period of two years on the workmanship and materials of the LSLR and the restoration of surfaces. The two year warranty shall commence upon the re-establishment of water service to the property after the LSLR has occurred. The maximum coverage under the warranty shall be only to repair or replace the Customer side service line if the failure was due to the workmanship or materials of the LSLR, and restoration of surfaces which shall mean restoration as reasonably as practicable to the condition that existed prior to the LSLR. The maximum coverage amount for replacing or repairing the Customer side service line if the failure was due to the workmanship or materials of the LSLR, and restoration of surfaces shall be an amount up to the cost of the repair or replacement, not to exceed Ten Thousand Dollars (\$10,000.00). The Company will not be liable for any damages beyond the maximum coverage of the two-year warranty as described in this warranty section. If a repair is required and qualifies under the warranty, the customer or property owner consents and grants license to York Water or its contractor to access the property and complete the repair as needed.

3.4.1.9 Rule 3.4.1 shall be effective until March 8, 2037. York Water may petition the Commission to extend the term of this tariff rule.

Separate Trench Required

- 3.5 Customer's Service Line shall not occupy the same trench with, or be placed within 18 inches of any sewer pipe or any facility or any other public service company, except that a common trench may be ledged for the service if approved by the Company, and shall not pass through any Premises other than those serviced by such Customer's Service Line.

(C) Indicates Change

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

- P-10. Sections 3.4.2.1 and 3.4.3 of York Water’s effective water tariff includes numerous provisions based on its previous Commission-approved LSLR program that do not comply with Commission regulations, specifically 52 Pa. Code §§ 65.56(c), 65.58(d), and 65.59. Please provide a revised Pro Forma Tariff that includes modifications to Sections 3.4.2.1 and 3.4.3 that comply with Commission regulations.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

See **Attachment P-9-1** for a revised Pro Forma Tariff reflecting these changes.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

P-11. Section 3.4.2.2 of the Pro Forma Tariff does not specify maximum coverage amounts under the warranty, such as a coverage amount in dollars or a provision indicating that the coverage amount is unlimited. 52 Pa. Code § 65.58(e)(3) requires the Pro Forma Tariff to include defined maximum coverage amounts under the warranty. Please provide a revised Pro Forma Tariff that is consistent with 52 Pa. Code § 65.58(e)(3) and that specifies a warranty coverage amount.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

See **Attachment P-9-1** for a revised Pro Forma Tariff reflecting these changes.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

- P-12. Section 3.4.2.4 of the Pro Forma Tariff indicated that if a customer has replaced their customer-owned lead service line within four years of March 8, 2017 (on or after March 8, 2013), the company will offer a cash payment as a tiered percentage of the customer's paid invoice based on the year of replacement. However, this provision does not appear to comply with Section 65.58(d) of Title 52, 52 Pa. Code § 65.58(d). Additionally, the Pro Forma Tariff does not appear to include provisions for customers or property owners, if the customer is not the property owner, within a LSLR project area to seek reimbursement of LSLR expenses up to 125% of the average cost the entity would have incurred to perform the replacement of a similarly sized service line, not to exceed the actual cost. Please provide a revised Pro Forma Tariff that complies with the reimbursement terms pursuant to 52 Pa. Code § 65.8(d).

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

See **Attachment P-9-1** for a revised Pro Forma Tariff reflecting these changes.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

- P-13. Section 3.4.2.4 of the Pro Forma Tariff indicated the customer must provide to York Water a paid invoice, a certification from a certified plumber, and other documentation as determined by York Water to demonstrate that a lead customer-owned LSL was replaced. The Pro Forma Tariff appears to require the customer to meet all these requirements rather than just one criterion to demonstrate that customer-owned LSL was replaced. Please provide a revised Pro Forma Tariff that complies with 52 Pa. Code § 65.58(d)(1)(iii)(B).

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

See **Attachment P-9-1** for a revised Pro Forma Tariff reflecting these changes.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

Docket No. P-2024-3050273

P-14. Sections 3.4.1 through 3.4.3 of York Water's effective tariff include several instances referencing Docket No. P-2016-2577404 that will be superseded by the consideration of York Water's proposed LSLR Program by the Commission at Docket No. P-2024-3050273. Specifically, pursuant to 52 Pa. Code § 65.60(a), an entity shall record LSLR costs in compliance with the National Association of Regulatory Utility Commissioners uniform system of accounts applicable to the entity. Please provide a revised Pro Forma Tariff that includes modifications to Sections 3.4.1 through 3.4.3 that comply with Commission regulations.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

See **Attachment P-9-1** for a revised Pro Forma Tariff reflecting these changes.

TUS Data Request Set 1

Petition of The York Water Company for Approval of its Lead Service Line Replacement Program

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P-15. The LSLR Program’s Appendix G included a copy of York Water’s consent agreement pursuant to 52 Pa. Code § 65.56(b)(6)(i). This agreement indicated that, “[the] Company warrants the workmanship of its installation of the Customer service line for a period of 12 months following the date set forth below, with [the] Company’s liability limited to the cost of repairing or replacing the Customer service line.”. This provision does not appear to fully conform with Section 3.4.2.2 of the Pro Forma Tariff, which provides for 24-month warranties for certain LSLRs conducted on or after the Commission’s approval of York Water’s LSLR Petition. Please provide a revised consent agreement form that conforms with York Water’s Pro Forma Tariff.

RESPONDENT:

Matt Scarpato
VP, Operations
The York Water Company

RESPONSE:

Please see **Attachment P-15-1** for a copy of the consent agreement. The referenced consent agreement has been revised to reflect a two-year warranty. Additionally, York Water has updated its website to reflect both the revised reimbursement program and the warranty program. See answer to P-8(a).

WATER SERVICE LINE REPLACEMENT
TEMPORARY LICENSE AGREEMENT

The undersigned individual represents that they are the property owner(s) at _____ (address), or are authorized to execute this License for the Owner. [The legal owner and the authorized representative shall be referred to interchangeably as "Owner" for purposes of this License Agreement.]

Owner grants to The York Water Company ("Company") and to its approved contractors and/or subcontractors a temporary license to enter upon Owner's property at _____, _____, Pennsylvania ("Property") for the purpose of replacing the water service line to Owner's property at the front of the Property, at no cost to Owner. The term of this License Agreement shall be 60 days following the date set forth below. Owner represents that they have the authority to agree to this License.

WHEREAS, the Company or its approved contractors and/or subcontractors will install or replace the Company service line from the water main to a Company meter or valve installation ("Installation") at Owner's front curb line. Company will determine the location of the Installation. The Company service line and the Installation will be owned and maintained by Company.

WHEREAS, the Company or its approved contractors and/or subcontractors will install or replace the Customer service line from the Installation to Customer's residence. The Customer service line is currently and will continue to be owned and maintained by Owner.

IT IS AGREED, upon completion of the work necessary to effect the service line replacement, Company will restore Owner's Property as nearly as practicable to its former condition.

Owner acknowledges that Company has provided the following fact sheets to Owner:

- _____ "Important Notice About Your Water" and
- _____ "Lead Information"

Owner agrees to provide the fact sheets to any tenants or occupants of the Property.


In consideration for performing the Customer service line replacement at Company's cost, Owner agrees to indemnify, release and hold harmless Company and its affiliates and agents from and against all claims, liability and costs ("Claims") resulting from acts and omissions of Company and/or its approved subcontractors in installing the copper Customer service line. Notwithstanding the foregoing, Company warrants the workmanship of its installation of the Customer service line for a period of 24 months following the date set forth below, with Company's liability limited to the cost of repairing or replacing the Customer service line.

DATE:

PROPERTY OWNER OR AUTHORIZED PERSON:

OWNER: _____ Sign OR AUTHORIZED PERSON: _____ Sign
_____ Print _____ Print

THE YORK WATER COMPANY

By: 
Nicholas Schaefer
Construction Superintendent